

THIRTY-SEVENTH DAY

(Wednesday, March 15, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holekamp.
Adamson.	Holland.
Aikin.	Holloway.
Alexander.	Hoskins.
Alsup.	Huddleston.
Anderson	Hughes.
of Johnson.	Hunt.
Baker.	Hyder.
Barrett.	Jackson.
Barron.	James.
Beck.	Jefferson.
Bedford.	Johnson
Bourne.	of Anderson.
Burns.	Jones of Atascosa.
Butler.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kayton.
Canon.	Kyle of Hays.
Cathey.	Kyle of Palo Pinto.
Caven.	Laird.
Chastain.	Latham.
Clayton.	Lemens.
Colson.	Leonard.
Coombes.	Lindsey.
Cowley.	Lotief.
Crossley.	Magee.
Daniel.	Mackay.
Davidson.	Mathis.
Dean.	McClain.
Devall.	McCullough.
Dunlap.	McDougald.
Dunagan.	McGregor.
Engelhard.	McKee.
Fain.	Merritt.
Fisher.	Metcalf.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hill of Webb.	Riddle.
Hodges.	Roberts.

Rogers of Hunt.	Sullivant.
Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Thomas.
Ross.	Tillery.
Russell.	Townsend.
Savage.	Turlington.
Scarborough.	Vaughan.
Scott.	Wagstaff.
Shannon.	Walker.
Shults.	Weinert.
Smith.	Wells.
Stanfield.	Winningham.
Steward.	Wood.
Stinson.	Young.
Stovall.	

Absent

Duvall.	Morse.
Dwyer.	West.
Long.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Anderson of Bexar for today, on motion of Mr. Nicholson.

Mr. Few for today and the balance of the week, on motion of Mr. Puryear.

Mr. Stanfield for yesterday, on motion of Mr. Greathouse.

The following Member was granted leave of absence on account of illness:

Mr. Van Zandt for today on account of illness in his family, on motion of Mr. Sullivant.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Griffith:

H. B. No. 819, A bill to be entitled "An Act defining the term 'plumber' or 'plumbing' in connection with Articles 1077-1081 of the 1925 Revised Civil Statutes of Texas, inclusive, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Jones of Atascosa:

H. B. No. 820, A bill to be entitled "An Act amending Article 8183, and Article 8184, Chapter 7, Title 128, Revised Civil Statutes of the State of Texas, 1925, providing for the dissolution of drainage districts, water improvement districts, and all other reclamation districts created for the conservation, reclamation, and protection of the natural resources of the State of Texas, and providing more fully for the liquidation, settlement, and payment of all established and valid indebtedness of such districts at the time of its dissolution, and providing for the payment of taxes against the persons and property assessed and assessable in such districts with bonds, coupons, and indebtedness of said district, which may have been approved by the commissioners court; and providing for the payment of all taxes, and the settlement of all liability of the owner or owners of property in such district through payment in bonds and or coupons or approved accounts of said district, so that the party and parties so paying and the property upon which payment is made shall be relieved from all further liability for or on account of any and all indebtedness of such district and from further payment of taxes, etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Harman:

H. B. No. 821, A bill to be entitled "An Act providing for an emergency appropriation in the sum of eight hundred dollars (\$800) to pay the mileage and per diem of the members of the State Board of Health for two more meetings to be held during the year of 1933, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Ratliff:

H. B. No. 822, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other

informal action; and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; and which are insufficient and void or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property, etc.; and declaring an emergency."

Referred to Committee on School Districts.

TO AMEND HOUSE RULE XXIX, SECTION 4

Mr. Sullivant offered the following resolution:

Whereas, The present Rule of the House of Representatives provides that the Speaker cannot entertain a request, motion, or resolution for the suspension of the Rule in regard to granting the privilege of the floor of the House to individuals; and

Whereas, Much of the Members' time is spent in going to and from the reception room to talk with constituents, who in many instances have traveled four or five hundred miles to talk with their Representative; and

Whereas, It would be much more convenient for the Members of the House to secure a pass for constituents so that they could talk with such constituents, while at the same time they will carry on their regular business; therefore, be it

Resolved by the House of Representatives of the State of Texas, That Section 4 of Rule XXIX be changed so as to read, as follows

"It shall be in order for the Speaker to entertain a request, motion, or resolution for the suspension of the Rule and it shall be suspended by a four-fifths vote of the Members present."

Signed—Sullivant, Kayton, Adamson, Wood, Van Zandt, Lemens, Rollins, Parkhouse, Butler, Aikin, Bedford, Canon, Rogers of Hunt, Hodges, Barrett, Hankamer, Tennyson, Harris.

The resolution was read second time, and was referred, by the Speaker, to the Committee on Rules.

TO GRANT H. L. STANCIL PERMISSION TO SUE THE STATE

Mr. Hankamer offered the following resolution:

H. C. R. No. 46, To grant H. L. Stancil permission to sue the State.

Whereas, On or about the twenty-second day of August, A. D. 1932, H. L. Stancil of the city of El Paso, El Paso County, State of Texas, while employed by the State Highway Commission of Texas at El Paso, Texas, in the capacity of a carpenter, and while the said H. L. Stancil was engaged in the performance of the regular duties of his said employment and while performing the work he was employed to do by the State Highway Commission, he, the said H. L. Stancil, was severely and permanently injured when a nail struck him in the right eye and pierced his eye clear through; and

Whereas, By reason of the accident causing the nail to pierce clear through the right eye of the said H. L. Stancil, he suffered great bodily injury which totally incapacitated him for several months, resulting in his being left totally blind in the right eye due to a detachment of the retina; and

Whereas, The said H. L. Stancil has never been compensated for his said injury; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said H. L. Stancil, his heirs, executors, and administrators be, and they are hereby, granted permission to bring suit against the State of Texas and against the Highway Commission of Texas in a court of competent jurisdiction in El Paso County, Texas, in order to ascertain, fix, and award the amount of money, if any, the said H. L. Stancil, his heirs, executors, and administrators are entitled to receive from the State of Texas and the Highway Commission of Texas as compensation by reason of such injury and resulting damages; and that, in case such suit be filed, service of citation or other necessary process shall be had upon the Governor of the State of Texas, the Chairman of the Highway Commission of Texas, and the Attorney General of Texas, and that the same have the same force and effect as made and provided in civil cases; and provided that either one of the parties to said suit shall have the right to appeal without the execution of bond; and any judgment that may be finally established against the State of Texas and the Highway

Commission of Texas in said suit shall be a liquidated debt, and shall be paid by the Highway Commission of Texas out of the State Highway Funds.

HANKAMER,
JACKSON,
CLAYTON.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

INVITING PURCHASERS OF CRUDE OIL TO APPEAR BEFORE THE HOUSE

Mr. Turlington offered the following resolution:

Whereas, The House of Representatives has recently passed a resolution asking the purchasers of crude oil to grant a raise in price; and

Whereas, In answer to the said resolution the fourteen largest buyers of crude oil in the Nation have come to Texas and will be in Austin on Thursday, March 16; and

Whereas, These said purchasers have already appeared before a joint meeting of the six representative oil associations of the State of Texas; and

Whereas, These said organizations are of the unanimous opinion that it is imperative that the Legislature of Texas have the benefit of facts which have been presented to them in order to avoid a threatened crisis in the oil industry; therefore, be it

Resolved by the House of Representatives, That the said purchasers of crude oil be invited to appear before the House of Representatives on Thursday, March 16, at 10 a. m., at which time the House will stand at ease.

Signed — Turlington, Steward, Latham, Renfro, Walker, Winningham, Tennyson, Glass, Wells, Dunagan, Holloway.

The resolution was read second time.

Mr. Walker offered the following amendment to the resolution:

Amend House simple resolution by striking out "10 a. m.," and inserting "7:30 p. m.," in lieu thereof.

The amendment was adopted.

The resolution as amended was then adopted.

SENATE BILL NO 37 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 37, A bill to be entitled "An Act prohibiting any judge or officer of an election from betting or wagering on the election or nomination of any person; prohibiting betting or wagering on the number of votes polled or cast, or to be polled or cast in the precinct or voting box, in which any officer is serving, in certain cases; prescribing offenses and punishment, and declaring an emergency."

The bill was read second time.

Mr. Calvert offered the following amendment to the bill:

Amend Senate Bill No. 37 by striking out lines 37 and 38, on page 1 thereof.

CALVERT,
DEVALL.

The amendment was adopted.

Senate Bill No. 37 was then passed to third reading.

SENATE BILL NO. 37 ON THIRD
READING

Mr. Vaughan moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Mr. Speaker.	Dunagan.
Adamson.	Engelhard.
Aikin.	Fain.
Alexander.	Fisher.
Alsup.	Ford.
Anderson	Fuchs.
of Johnson.	Golson.
Barrett.	Goodman.
Barron.	Graves.
Beck.	Greathouse.
Bourne.	Griffith.
Butler.	Haag.
Calvert.	Harman.
Camp.	Harrison.
Canon.	Hartzog.
Cathey.	Head.
Chastain.	Hester.
Clayton.	Hicks.
Cowley.	Hodges.
Crossley.	Holekamp.
Daniel.	Holland.
Dean.	Huddleston.
Devall.	Hughes.

Hunt.	Roberts.
James.	Rogers of Hunt.
Jefferson.	Rogers
Johnson	of Ochiltree.
of Anderson.	Ross.
Jones of Runnels.	Russell.
Kyle of Hays.	Savage.
Kyle of Palo Pinto.	Scarborough.
Latham.	Shannon.
Lindsey.	Shults.
Magee.	Stanfield.
Mackay.	Steward.
Mathis.	Stinson.
McCullough.	Stovall.
McDougald.	Sullivant.
Merritt.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Tillery.
Munson.	Townsend.
Palmer.	Turlington.
Parkhouse.	Vaughan.
Pavlica.	Walker.
Puryear.	Weinert.
Ratliff.	Wells.
Ray.	Winningham.
Reed of Bowie.	Wood.
Reed of Dallas.	Young.
Renfro.	

Nays—3

Coombes.	Ramsey.
Davidson.	

Present—Not Voting

Jones of Atascosa.

Absent

Baker.	Lemens.
Bedford.	Leonard.
Burns.	Long.
Caven.	Lotief.
Colson.	McClain.
Dunlap.	McGregor.
Duvall.	McKee.
Dwyer.	Metcalfe.
Glass.	Morrison.
Good.	Morse.
Hankamer.	Nicholson.
Harris.	Patterson.
Hill of Brazoria.	Pope.
Hill of Webb.	Reader.
Holloway.	Riddle.
Hoskins.	Rollins.
Hyder.	Scott.
Jackson.	Smith.
Jones of Shelby.	Wagstaff.
Kayton.	West.
Laird.	

Absent—Excused

Anderson of Bexar.	Johnson
Bradley.	of Dimmit.
Few.	Van Zandt.

The Speaker then laid Senate Bill No. 37 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100

Adamson.	Jones of Runnels.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Latham.
Anderson	Lindsey.
of Johnson.	Magee.
Baker.	Mathis.
Barrett.	McCullough.
Barron.	McDougald.
Beck.	Merritt.
Bourne.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Camp.	Munson.
Canon.	Palmer.
Cathey.	Parkhouse.
Clayton.	Pavlica.
Cowley.	Pope.
Daniel.	Puryear.
Devall.	Ray.
Dunagan.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Roberts.
Fisher.	Rogers of Hunt.
Fuchs.	Rogers of Ochiltree.
Glass.	Ross.
Golson.	Russell.
Good.	Savage.
Goodman.	Scarborough.
Graves.	Shannon.
Greathouse.	Shults.
Griffith.	Smith.
Hankamer.	Stanfield.
Harman.	Steward.
Harris.	Stinson.
Harrison.	Stovall.
Hartzog.	Sullivant.
Head.	Tarwater.
Hester.	Tennyson.
Hicks.	Thomas.
Hodges.	Tillery.
Holekamp.	Townsend.
Holland.	Turlington.
Huddleston.	Vaughan.
Hughes.	Wagstaff.
Hunt.	Walker.
Jackson.	Weinert.
James.	Wells.
Jefferson.	Winningham.
Johnson	Wood.
of Anderson.	Young.

Nays—10

Coombes.	Haag.
Crossley.	Kayton.
Davidson.	Ramsey.
Dean.	Ratliff.
Ford.	Renfro.

Present—Not Voting

Jones of Atascosa.

Absent

Bedford.	Long.
Burns.	Lotief.
Caven.	Mackay.
Chastain.	McClain.
Colson.	McGregor.
Dunlap.	McKee.
Duvall.	Metcalfe.
Dwyer.	Morrison.
Hill of Brazoria.	Morse.
Hill of Webb.	Nicholson.
Holloway.	Patterson.
Hoskins.	Reader.
Hyder.	Riddle.
Jones of Shelby.	Rollins.
Laird.	Scott.
Lemens.	West.
Leonard.	

Absent—Excused

Anderson of Bexar.	Johnson
Bradley.	of Dimmit.
Few.	Van Zandt.

SENATE BILL NO. 245 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 245, A bill to be entitled "An Act to designate and fix the third day of November as 'Father of Texas Day,' in memory of Stephen F. Austin, the real and true Father of Texas."

The bill was read second time.

Mr. Griffith offered the following committee amendment to the bill:

Amend Senate Bill No. 245 at end of Section 1 by adding the following: "Provided, however, that said day shall not be a legal holiday."

The amendment was adopted.

Senate Bill No. 245 was then passed to third reading.

SENATE BILL NO. 245 ON THIRD READING

Mr. Griffith moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 245 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Adamson.	Baker.
Aikin.	Barrett.
Alexander.	Barron.
Alsup.	Beck.
Anderson	Bedford.
of Johnson.	Bourne.

Butler.	Magee.
Calvert.	Mackay.
Camp.	Mathis.
Canon.	McClain.
Cathey.	McCullough.
Clayton.	McDougald.
Coombes.	McKee.
Cowley.	Merritt.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Moore.
Dean.	Morrison.
Devall.	Munson.
Dunagan.	Palmer.
Engelhard.	Parkhouse.
Fain.	Patterson.
Fisher.	Pavlica.
Ford.	Pope.
Fuchs.	Puryear.
Glass.	Ramsey.
Golson.	Ratliff.
Good.	Ray.
Graves.	Reader.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Haag.	Renfro.
Hankamer.	Roberts.
Harris.	Rogers of Ochiltree.
Harrison.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hester.	Scarborough.
Hicks.	Shults.
Hodges.	Smith.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stinson.
Huddleston.	Sullivant.
Hughes.	Tarwater.
Hunt.	Tennyson.
James.	Tillery.
Jefferson.	Turlington.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Weinert.
Kayton.	Wells.
Kyle of Hays.	Winningham.
Kyle of Palo Pinto.	Wood.
Latham.	Young.

Absent

Burns.	Laird.
Caven.	Lemens.
Chastain.	Leonard.
Colson.	Lindsey.
Dunlap.	Long.
Duvall.	Lotief.
Dwyer.	McGregor.
Goodman.	Metcalfe.
Harman.	Morse.
Hill of Brazoria.	Nicholson.
Hill of Webb.	Riddle.
Holloway.	Rogers of Hunt.
Hyder.	Rollins.
Jackson.	Scott.
Jones of Shelby.	Shannon.

Stovall.	Townsend.
Thomas.	West.

Absent—Excused

Anderson of Bexar.	Johnson
Bradley.	of Dimmit.
Few.	Van Zandt.

The Speaker then laid Senate Bill No. 245 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102

Adamson.	Jones of Runnels.
Aikin.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Latham.
of Johnson.	Leonard.
Barron.	Magee.
Bourne.	Mathis.
Burns.	McClain.
Butler.	McCullough.
Calvert.	McDougald.
Camp.	McKee.
Canon.	Merritt.
Cathey.	Mitcham.
Clayton.	Moffett.
Coombes.	Moore.
Cowley.	Morrison.
Crossley.	Munson.
Davidson.	Palmer.
Dean.	Patterson.
Devall.	Pavlica.
Dunlap.	Pope.
Dunagan.	Puryear.
Engelhard.	Ramsey.
Fain.	Ratliff.
Fisher.	Ray.
Ford.	Reader.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Roberts.
Graves.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harris.	Savage.
Harrison.	Scarborough.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Smith.
Hicks.	Stanfield.
Hodges.	Steward.
Holekamp.	Stovall.
Holland.	Sullivant.
Hoskins.	Tennyson.
Huddleston.	Tillery.
Hughes.	Townsend.
Hunt.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Weinert.

Wells.
Winningham.

Wood.
Young.

Absent

Alexander.	Kayton.
Baker.	Laird.
Barrett.	Lemens.
Beck.	Lindsey.
Bedford.	Long.
Caven.	Lotief.
Chastain.	Mackay.
Colson.	McGregor.
Daniel.	Metcalfe.
Duvall.	Morse.
Dwyer.	Nicholson.
Fuchs.	Parkhouse.
Harman.	Riddle.
Hill of Brazoria.	Rogers of Hunt.
Hill of Webb.	Scott.
Holloway.	Stinson.
Hyder.	Tarwater.
Johnson	Thomas.
of Anderson.	Turlington.
Jones of Atascosa.	West.
Jones of Shelby.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 247, "An Act defining certain words, terms, and phrases for the purposes of this Act, providing and imposing an occupation tax on the first sale distribution or use of motor fuel in this State; providing certain exceptions, exemptions, and deductions from the tax hereby levied; providing for refunds of taxes paid in certain instances and under certain conditions, requiring distributors of motor fuel to obtain a permit and to file with the Comptroller of Public Accounts a surety bond or in lieu of bond to deposit in a suspense account in the State Treasury an amount of money equal to the amount of bonds required; providing that any manufacturer or refiner may transfer the tax imposed upon the sale of casinghead or natural gasoline to any distributor holding a permit as required by this Act upon certain conditions; regulating the issuance of such permits, and providing for and regulating the

suspension and revocation of permits issued; providing for and requiring distributors of motor fuel to file new or additional bonds in certain instances, etc., and declaring an emergency."

SENATE BILL NO. 40 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 40, A bill to be entitled "An Act to declare a closed season on the killing of blue quail, bob whites, and doves in Yoakum County for a period of five years, prescribing a penalty therefor, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 40 ON THIRD READING

Mr. Thomas moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 40 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Adamson.	Glass.
Aikin.	Good.
Alexander.	Graves.
Alsup.	Greathouse.
Anderson	Griffith.
of Johnson.	Haag.
Baker.	Hankamer.
Barrett.	Harris.
Barron.	Hartzog.
Beck.	Head.
Bourne.	Hicks.
Burns.	Hill of Webb.
Butler.	Holekamp.
Calvert.	Hoskins.
Canon.	Huddleston.
Cathey.	Hughes.
Chastain.	Hunt.
Clayton.	Hyder.
Coombes.	Jackson.
Cowley.	James.
Crossley.	Jefferson.
Daniel.	Johnson
Davidson.	of Anderson.
Dean.	Jones of Runnels.
Devall.	Jones of Shelby.
Dunlap.	Kyle of Hays.
Dunagan.	Kyle of Palo Pinto.
Fain.	Leonard.
Fisher.	Lotief.
Ford.	Magee.

Mathis.	Rollins.
McClain.	Ross.
McCullough.	Russell.
McDougald.	Scarborough.
Merritt.	Scott.
Metcalfe.	Shannon.
Mitcham.	Shults.
Moffett.	Smith.
Moore.	Stanfield.
Morrison.	Steward.
Munson.	Stovall.
Nicholson.	Sullivant.
Palmer.	Tarwater.
Parkhouse.	Tennyson.
Patterson.	Thomas.
Pavlica.	Tillery.
Puryear.	Townsend.
Ratliff.	Turlington.
Ray.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Wells.
Renfro.	Winningham.
Roberts.	Wood.
Rogers of Ochiltree.	

Absent

Bedford.	Latham.
Camp.	Lemens.
Caven.	Lindsey.
Colson.	Long.
Duvall.	Mackay.
Dwyer.	McGregor.
Engelhard.	McKee.
Fuchs.	Morse.
Golson.	Pope.
Goodman.	Ramsey.
Harman.	Reader.
Harrison.	Riddle.
Hester.	Rogers of Hunt.
Hill of Brazoria.	Savage.
Hodges.	Stinson.
Holland.	Vaughan.
Holloway.	Weinert.
Jones of Atascosa.	West.
Kayton.	Young.
Laird.	

Absent—Excused

Anderson of Bexar.	Johnson of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid Senate Bill No. 40 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—111

Adamson.	Anderson
Aikin.	of Johnson.
Alexander.	Baker.
Alsop.	Barrett.

Barron.	Leonard.
Beck.	Lotief.
Bedford.	Magee.
Bourne.	Mackay.
Burns.	McClain.
Butler.	McCullough.
Calvert.	McDougald.
Cathey.	Merritt.
Chastain.	Metcalfe.
Clayton.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Crossley.	Morrison.
Daniel.	Munson.
Davidson.	Nicholson.
Dean.	Palmer.
Devall.	Parkhouse.
Dunlap.	Patterson.
Dunagan.	Pavlica.
Engelhard.	Pope.
Fain.	Puryear.
Fisher.	Ratliff.
Ford.	Ray.
Glass.	Reed of Bowie.
Good.	Reed of Dallas.
Graves.	Renfro.
Greathouse.	Roberts.
Griffith.	Rogers of Ochiltree.
Haag.	Rollins.
Hankamer.	Ross.
Harris.	Russell.
Harrison.	Scarborough.
Hartzog.	Scott.
Head.	Shannon.
Hicks.	Shults.
Hill of Webb.	Stanfield.
Holekamp.	Steward.
Hoskins.	Stinson.
Huddleston.	Sullivant.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jefferson.	Turlington.
Johnson of Anderson.	Vaughan.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Weinert.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Winningham.
Latham.	Wood.

Absent

Camp.	Hill of Brazoria.
Canon.	Hodges.
Caven.	Holland.
Colson.	Holloway.
Duvall.	Jones of Atascosa.
Dwyer.	Laird.
Fuchs.	Lemens.
Golson.	Lindsey.
Goodman.	Long.
Harman.	Mathis.
Hester.	McGregor.

McKee.
Morse.
Ramsey.
Reader.
Riddle.
Rogers of Hunt.

Savage.
Smith.
Stovall.
West.
Young.

Absent—Excused

Anderson
of Bexar.
Bradley.
Few.

Johnson
of Dimmit.
Van Zandt.

SENATE BILL NO. 104 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 104, A bill to be entitled "An Act making it unlawful to hunt, take, or pursue any wild deer in the County of Galveston, for a period of five years, following the passage of this Act; providing a suitable penalty, repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 104 ON THIRD
READING

Mr. Bedford moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 104 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adamson.	Davidson.
Aikin.	Dean.
Alexander.	Devall.
Alsup.	Dunlap.
Anderson	Dunagan.
of Johnson.	Engelhard.
Barrett.	Fain.
Barron.	Fisher.
Beck.	Ford.
Bedford.	Glass.
Bourne.	Golson.
Burns.	Good.
Butler.	Haag.
Calvert.	Hankamer.
Canon.	Harris.
Caven.	Harrison.
Chastain.	Hartzog.
Colson.	Head.
Coombes.	Hester.
Cowley.	Hicks.
Daniel.	Hill of Webb.

Holland.	Ramsey.
Hoskins.	Ratliff.
Hughes.	Ray.
Hunt.	Renfro.
Hyder.	Roberts.
Jackson.	Rogers of Hunt.
James.	Rogers
Jefferson.	of Ochiltree.
Johnson	Rollins.
of Anderson.	Ross.
Jones of Runnels.	Russell.
Jones of Shelby.	Scarborough.
Kyle of Hays.	Scott.
Kyle of Palo Pinto.	Shannon.
Leonard.	Shults.
Lotief.	Smith.
Magee.	Stanfield.
Mackay.	Steward.
Mathis.	Sullivant.
McClain.	Tarwater.
McCullough.	Tennyson.
McGregor.	Thomas.
Merritt.	Tillery.
Mitcham.	Townsend.
Moffett.	Turlington.
Moore.	Vaughan.
Morrison.	Wagstaff.
Munson.	Walker.
Nicholson.	Weinert.
Palmer.	Wells.
Parkhouse.	Winningham.
Pavlica.	Wood.
Pope.	Young.
Puryear.	

Absent

Baker.	Kayton.
Camp.	Laird.
Cathey.	Latham.
Clayton.	Lemens.
Crossley.	Lindsey.
Duvall.	Long.
Dwyer.	McDougald.
Fuchs.	McKee.
Goodman.	Metcalfe.
Graves.	Morse.
Greathouse.	Patterson.
Griffith.	Reader.
Harman.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Hodges.	Riddle.
Holekamp.	Savage.
Holloway.	Stinson.
Huddleston.	Stovall.
Jones of Atascosa.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid Senate Bill No. 104 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110

Adamson.	Kyle of Hays.
Aikin.	Kyle of Palo Pinto.
Alexander.	Latham.
Alsup.	Leonard.
Anderson	Lotief.
of Johnson.	Magee.
Baker.	Mackay.
Barrett.	McClain.
Barron.	McCullough.
Beck.	McGregor.
Bedford.	Merritt.
Bourne.	Metcalfe.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Canon.	Morrison.
Caven.	Munson.
Chastain.	Nicholson.
Colson.	Palmer.
Coombes.	Parkhouse.
Cowley.	Pavlica.
Crossley.	Pope.
Daniel.	Puryear.
Davidson.	Ramsey.
Dean.	Ratliff.
Devall.	Ray.
Dunlap.	Reader.
Dunagan.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Renfro.
Fisher.	Roberts.
Ford.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Graves.	Russell.
Griffith.	Savage.
Haag.	Scarborough.
Hankamer.	Scott.
Harris.	Shannon.
Hartzog.	Shults.
Head.	Smith.
Hester.	Stanfield.
Hicks.	Steward.
Hill of Webb.	Tarwater.
Hodges.	Tennyson.
Hoskins.	Thomas.
Hughes.	Townsend.
Hunt.	Turlington.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Weinert.
Johnson	Wells.
of Anderson.	Winningham.
Jones of Runnels.	Wood.
Jones of Shelby.	

Absent

Camp.	Clayton.
Cathey.	Duvall.

Dwyer.	Lindsey.
Fuchs.	Long.
Goodman.	Mathis.
Greathouse.	McDougald.
Harman.	McKee.
Harrison.	Morse.
Hill of Brazoria.	Patterson.
Holekamp.	Riddle.
Holland.	Rogers of Hunt.
Holloway.	Stinson.
Huddleston.	Stovall.
Jones of Atascosa.	Sullivan.
Kayton.	Tillery.
Laird.	West.
Lemens.	Young.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 786 ON SECOND READING

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 786, A bill to be entitled "An Act to stay all sales under execution, order of sale, or under any deed of trust, mortgage, or other contract giving or granting any power of sale of real, personal, or mixed property for debt now advertised, or to be advertised, in the future, for a period of one hundred and twenty (120) days after March 15, 1933; providing that no other or further advertisement or notice of any such sale, than that lawfully given for sale prior to March 15, 1933, shall be required for such sale after the expiration of one hundred and twenty (120) days; making void all sales in violation of this Act; extending the time for return, and declaring an emergency";

The bill having been read second time on yesterday.

Mr. McCullough offered the following amendment to the bill:

Amend House Bill No. 786 by striking out the words in lines Nos. 25 and 26, "for a period of one hundred and twenty days from March 15, 1933," and insert in lieu thereof "until January 1, 1934."

McCULLOUGH,
BARRON.

The amendment was lost.

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 786 by adding at the end of Section 1 the following: "And provided further, that the courts are hereby directed to grant extraordinary writs preventing sales until a hearing before such court can be had to determine the question as to whether or not a fair sale can be had as provided by the terms of the written contract or as contemplated by the order of sale or execution, and the court in passing upon the question as to whether or not a fair sale can be made shall take into consideration the payee's ability to secure funds with which to pay, or otherwise to pay, such indebtedness."

DAVIDSON,
FORD,
POPE.
GREATHOUSE.

The amendment was adopted.

Mr. Metcalfe offered the following amendment to the bill:

Amend House Bill No. 786 by adding at the end of Section 1 the following: "Provided, that the provisions of this Act shall not apply unless the one desiring to take advantage hereof shall pay the current taxes and interest due thereon."

METCALFE,
JACKSON,
HANKAMER.

On motion of Mr. Mathis, the amendment was tabled.

Mr. Kayton offered the following amendment to the bill:

Amend House Bill No. 786, page 1, Section 1, line 23, by striking out the word "personal."

On motion of Mr. Rogers of Ochiltree, the amendment was tabled.

Mr. Sullivant offered the following amendment to the bill:

Amend House Bill No. 786 by adding, at the end of Section 2, the following: "Provided further, that this Act shall not apply to cases where purchase-price money is due on personal and mixed property."

Question—Shall the amendment by Mr. Sullivant be adopted?

SENATE BILL NO. 160 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 160, A bill to be entitled "An Act amending Acts, 1931, Forty-second Legislature, Regular Session, page 744, Chapter 291, Section 1, so as to change the compensation of district attorneys from a salary basis to a fee basis in certain judicial districts, and declaring an emergency."

The bill was read second time, and was laid on the table by unanimous consent of the House.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 15, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to pass House Memorial to the Congress of the United States concerning the building of a storage reservoir upon the Rio Grande River, by the following vote: Yeas, 8; nays, 19.

The Senate has adopted

H. C. R. No. 35, Recommending L. A. Robinson for the position as administrative officer in the Bureau of Investigation of the Department of Justice.

H. C. R. No. 42, Granting permission to Jesse V. Creech to sue the State for property damaged in connection with highway construction.

H. C. R. No. 43, Granting permission to R. A. Robinson to sue the State for property damaged in connection with highway construction.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

On motion of Mr. Wells, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by Speaker Stevenson.

HOUSE BILL NO. 786 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 786, relative to sale of real, personal, or mixed property under execution, etc., the bill having hereto-

fore been read second time, with amendment by Mr. Sullivant, pending.

Question recurring on the amendment by Mr. Sullivant, it was lost.

Mr. Fisher offered the following amendment to the bill:

Amend House Bill No. 786 by inserting the following words between the words "property" and "for," in line 23, page 1: "Except sales on monthly basis, or time payments from month to month, such as radios, furniture, groceries, dry goods, and all such monthly payments."

The amendment was lost.

Mr. Walker offered the following amendment to the bill:

Amend House Bill No. 786 by adding, at the end of Section 1, the following: "Provided further, that no mortgagor, who fails to disclose to the mortgagee, the whereabouts and location of said property covered in the mortgage, when requested by the mortgagee to make such disclosure, and such mortgagor shall have three days in which to make such disclosure after request by said mortgagee, shall be permitted to take advantage of this Act."

WALKER,
CLAYTON.

The amendment was adopted.

Mr. Rogers of Ochiltree offered the following amendment to the bill:

Amend House Bill No. 786 by adding a new Section, as Section 1-a, after Section 1, to read as follows:

"Section 1-a. If any part of this Act be declared unconstitutional, it will not affect the remaining part of the bill."

Mr. Russell moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Rogers of Ochiltree, it was adopted.

Mr. Barron offered the following amendment to the bill:

Amend House Bill No. 786 by placing at the end of Section 2 the following: "Provided, however, that this Act shall not apply to mortgages on personal property and the enforcement of debts involving personal property."

BARRON,
KAYTON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 786 was then passed to engrossment by the following vote:

Yeas—95

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Jones of Shelby.
Alsup.	Kayton.
Baker.	Laird.
Barrett.	Latham.
Barron.	Lemens.
Beck.	Lindsey.
Bourne.	Lotief.
Calvert.	McClain.
Camp.	McCullough.
Canon.	McDougald.
Cathey.	McGregor.
Chastain.	McKee.
Clayton.	Merritt.
Colson.	Mitcham.
Cowley.	Moffett.
Crossley.	Morrison.
Davidson.	Nicholson.
Dean.	Palmer.
Devall.	Pavlica.
Dunagan.	Pope.
Engelhard.	Puryear.
Fain.	Ramsey.
Fisher.	Ratliff.
Fuchs.	Reader.
Glass.	Reed of Bowie.
Golson.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Rollins.
Griffith.	Russell.
Hankamer.	Scarborough.
Harman.	Scott.
Harris.	Smith.
Harrison.	Stovall.
Hartzog.	Sullivant.
Head.	Tarwater.
Hicks.	Tennyson.
Hodges.	Thomas.
Holloway.	Tillery.
Hoskins.	Townsend.
Huddleston.	Turlington.
Hughes.	Weinert.
Hunt.	Wells.
Hyder.	Winningham.
James.	Wood.
Jefferson.	Young.
Johnson	

of Anderson.

Nays—30

Anderson	Ford.
of Johnson.	Good.
Burns.	Graves.
Caven.	Haag.
Coombes.	Hill of Brazoria.
Daniel.	Hill of Webb.

Holekamp.	Reed of Dallas.
Jackson.	Renfro.
Kyle of Palo Pinto.	Rogers
Long.	of Ochiltree.
Magee.	Savage.
Mathis.	Shannon.
Metcalfe.	Shults.
Munson.	Steward.
Parkhouse.	Vaughan.
Ray.	Walker.

Absent

Bedford.	Moore.
Butler.	Morse.
Dunlap.	Patterson.
Duvall.	Riddle.
Dwyer.	Ross.
Hester.	Stanfield.
Holland.	Stinson.
Kyle of Hays.	Wagstaff.
Leonard.	West.
Mackay.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

Mr. Kayton moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 786 ON THIRD READING

Mr. Pope moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 786 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Crossley.
Aikin.	Daniel.
Alexander.	Davidson.
Alsup.	Dean.
Anderson	Devall.
of Johnson.	Dunagan.
Baker.	Engelhard.
Barrett.	Fain.
Barron.	Fisher.
Beck.	Fuchs.
Bourne.	Glass.
Burns.	Golson.
Calvert.	Goodman.
Canon.	Greathouse.
Cathey.	Griffith.
Chastain.	Haag.
Clayton.	Hankamer.
Colson.	Harris.
Cowley.	Head.

Hicks.	Palmer.
Hodges.	Pavlica.
Holloway.	Pope.
Hoskins.	Purveyer.
Huddleston.	Ramsey.
Hughes.	Ratliff.
Hunt.	Reader.
Hyder.	Reed of Bowie.
James.	Roberts.
Jefferson.	Rogers of Hunt.
Johnson	Rogers
of Anderson.	of Ochiltree.
Jones of Atascosa.	Rollins.
Jones of Runnels.	Ross.
Jones of Shelby.	Russell.
Kayton.	Scarborough.
Laird.	Scott.
Latham.	Smith.
Lindsey.	Steward.
Long.	Stovall.
Lotief.	Sullivant.
Magee.	Tarwater.
McClain.	Tennyson.
McCullough.	Thomas.
McDougald.	Tillery.
McGregor.	Townsend.
McKee.	Turlington.
Merritt.	Walker.
Metcalfe.	Weinert.
Mitcham.	Wells.
Moffett.	Winningham.
Moore.	Wood.
Morrison.	Young.
Nicholson.	

Nays—16

Caven.	Kyle of Palo Pinto.
Coombes.	Mathis.
Ford.	Munson.
Good.	Parkhouse.
Hill of Brazoria.	Reed of Dallas.
Hill of Webb.	Renfro.
Holekamp.	Shults.
Jackson.	Vaughan.

Absent

Bedford.	Lemens.
Butler.	Leonard.
Camp.	Mackay.
Dunlap.	Morse.
Duvall.	Patterson.
Dwyer.	Ray.
Graves.	Riddle.
Harman.	Savage.
Harrison.	Shannon.
Hartzog.	Stanfield.
Hester.	Stinson.
Holland.	Wagstaff.
Kyle of Hays.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 786 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—98

Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Laird.
Alsup.	Latham.
Baker.	Lemens.
Barrett.	Lindsey.
Barron.	Lotief.
Beck.	Mathis.
Bourne.	McClain.
Calvert.	McCullough.
Canon.	McDougald.
Cathey.	McGregor.
Chastain.	McKee.
Clayton.	Merritt.
Colson.	Mitcham.
Cowley.	Moffett.
Crossley.	Morrison.
Davidson.	Nicholson.
Dean.	Palmer.
Devall.	Pavlica.
Dunagan.	Pope.
Engelhard.	Puryear.
Fain.	Ramsey.
Fisher.	Ratliff.
Fuchs.	Reader.
Glass.	Reed of Bowie.
Golson.	Roberts.
Goodman.	Rogers of Hunt.
Griffith.	Rogers
Haag.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Ross.
Harris.	Russell.
Hartzog.	Scarborough.
Head.	Scott.
Hicks.	Smith.
Hodges.	Steward.
Holekamp.	Stovall.
Holloway.	Sullivant.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Tillery.
Hunt.	Townsend.
Hyder.	Turlington.
James.	Walker.
Jefferson.	Weinert.
Johnson	Wells.
of Anderson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.

Nays—26

Anderson	Ford.
of Johnson.	Good.
Burns.	Graves.
Caven.	Harrison.
Coombes.	Hill of Brazoria.
Daniel.	Hill of Webb.

Jackson.	Ray.
Kyle of Palo Pinto.	Reed of Dallas.
Long.	Renfro.
Magee.	Savage.
Metcalf.	Shannon.
Moore.	Shults.
Munson.	Vaughan.
Parkhouse.	

Present—Not Voting

Camp.

Absent

Bedford.	Mackay.
Butler.	Morse.
Dunlap.	Patterson.
Duvall.	Riddle.
Dwyer.	Stanfield.
Greathouse.	Stinson.
Hester.	Thomas.
Holland.	Wagstaff.
Kyle of Hays.	West.
Leonard.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

Mr. Pope moved to reconsider the vote by which the bill was passed.

Mr. Parkhouse moved to table the motion to reconsider.

The motion to table was lost.

Question then recurring on the motion to reconsider the vote by which the bill was passed, it prevailed.

House Bill No. 786 was then passed by the following vote:

Yeas—103

Adamson.	Engelhard.
Aikin.	Fain.
Alexander.	Fisher.
Alsup.	Fuchs.
Baker.	Glass.
Barrett.	Golson.
Barron.	Goodman.
Beck.	Graves.
Bourne.	Greathouse.
Burns.	Griffith.
Calvert.	Haag.
Camp.	Hankamer.
Canon.	Harris.
Cathey.	Hartzog.
Chastain.	Head.
Clayton.	Hester.
Colson.	Hicks.
Cowley.	Hodges.
Crossley.	Holloway.
Daniel.	Huddleston.
Davidson.	Hughes.
Devall.	Hunt.
Dunagan.	Hyder.

James.	Reader.
Jefferson.	Reed of Bowie.
Johnson	Roberts.
of Anderson.	Rogers of Hunt.
Jones of Atascosa.	Rogers
Jones of Runnels.	of Ochiltree.
Jones of Shelby.	Rollins.
Kayton.	Ross.
Laird.	Russell.
Latham.	Scarborough.
Lemens.	Scott.
Lindsey.	Smith.
Long.	Stanfield.
Lotief.	Steward.
McClain.	Stovall.
McCullough.	Sullivant.
McDougald.	Tarwater.
McGregor.	Tennyson.
McKee.	Thomas.
Merritt.	Tillery.
Metcalfe.	Townsend.
Mitcham.	Turlington.
Moffett.	Wagstaff.
Morse.	Walker.
Palmer.	Weinert.
Pavlica.	Wells.
Pope.	Winningham.
Puryear.	Wood.
Ramsey.	Young.
Ratliff.	

Nays—21

Anderson	Mathis.
of Johnson.	Moore.
Caven.	Munson.
Coombes.	Parkhouse.
Ford.	Ray.
Good.	Reed of Dallas.
Harrison.	Renfro.
Hill of Brazoria.	Savage.
Hill of Webb.	Shannon.
Jackson.	Shults.
Kyle of Palo Pinto.	Vaughan.

Present—Not Voting

Magee.

Absent

Bedford.	Kyle of Hays.
Butler.	Leonard.
Dean.	Mackay.
Dunlap.	Morrison.
Duvall.	Nicholson.
Dwyer.	Patterson.
Harman.	Riddle.
Holekamp.	Stinson.
Holland.	West.
Hoskins.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

REASONS FOR VOTES

I vote against House Bill No. 786 because I consider that it violates Article I, Section 16, of the Texas Constitution, and Article I, Section 10, of the United States Constitution.

COOMBES.

I vote against House Bill No. 786 because I consider that it violates Article I, Section 16, of the Texas Constitution, and Article I, Section 10, of the United States Constitution.

GOOD.

I vote "aye" to help put House Bill No. 786 into immediate effect; otherwise the bill would not serve the purpose for which it was intended.

CAMP.

I vote "aye" to help put House Bill No. 786 into immediate effect; otherwise the bill would not serve the purpose for which it was intended.

HANKAMER.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 15, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 245, by the following vote: Yeas, 30; nays, 0.

The Senate has concurred in House amendments to Senate Bill No. 37, by the following vote: Yeas, 30; nays, 0.

The Senate has passed

H. B. No. 175, A bill to be entitled "An Act to authorize the creation of corporations in this State, under the general corporation laws, for the purpose of forming and operating a general detective agency or company to do a general detective business, to employ and furnish persons to make investigations and reports, and to furnish guards or watchmen to protect industrial plants, business institutions, and residential property; and declaring an emergency." (With amendments.)

H. B. No. 411, A bill to be entitled "An Act amending Article 322, of the 1925 Revised Civil Statutes of Texas,

same being Acts of 1927, Fortieth Legislature, page 222, Chapter 151, by omitting the word 'fortieth,' which same is the Fortieth Judicial District of Ellis County, Texas, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

MOTION FOR SPECIAL ORDER

Mr. Laird moved that House Bill No. 226 be set as a special order for 10 o'clock a. m., tomorrow.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—73

Alsup.	Jones of Runnels.
Baker.	Jones of Shelby.
Barron.	Laird.
Beck.	Latham.
Calvert.	Long.
Cathey.	Lotief.
Chastain.	Mathis.
Clayton.	McClain.
Colson.	McCullough.
Cowley.	McGregor.
Crossley.	McKee.
Devall.	Merritt.
Dunagan.	Mitcham.
Engelhard.	Moore.
Fisher.	Morrison.
Fuchs.	Palmer.
Glass.	Pavlica.
Good.	Pope.
Goodman.	Puryear.
Graves.	Ramsey.
Greathouse.	Ratliff.
Griffith.	Ray.
Haag.	Reader.
Hankamer.	Rogers of Hunt.
Harrison.	Rollins.
Hartzog.	Ross.
Hester.	Scarborough.
Holekamp.	Scott.
Hoskins.	Smith.
Huddleston.	Stanfield.
Hunt.	Stovall.
Hyder.	Tarwater.
Jackson.	Tillery.
James.	Townsend.
Johnson	Wagstaff.
of Anderson.	Weinert.
Jones of Atascosa.	Young.

Nays—49

Adamson.	Bourne.
Aikin.	Burns.
Alexander.	Camp.
Anderson	Canon.
of Johnson.	Caven.
Barrett.	Coombes.

Daniel.	Reed of Dallas.
Davidson.	Renfro.
Fain.	Roberts.
Golson.	Rogers
Harris.	of Ochiltree.
Head.	Russell.
Hicks.	Savage.
Hill of Webb.	Shannon.
Hughes.	Shults.
Jefferson.	Steward.
Lindsey.	Stinson.
Magee.	Sullivant.
McDougald.	Tennyson.
Metcalfe.	Turlington.
Moffett.	Vaughan.
Munson.	Walker.
Nicholson.	Wells.
Parkhouse.	Winningham.
Patterson.	Wood.
Reed of Bowie.	

Absent

Bedford.	Holloway.
Butler.	Kayton.
Dean.	Kyle of Hays.
Dunlap.	Kyle of Palo Pinto.
Duvall.	Lemens.
Dwyer.	Leonard.
Ford.	Mackay.
Harman.	Morse.
Hill of Brazoria.	Riddle.
Hodges.	Thomas.
Holland.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

PROVIDING FOR RECESS OF THE LEGISLATURE

Mr. Savage offered the following resolution:

H. C. R. No. 47, Providing for recess of the Legislature.

Whereas, During the last few days it has been necessary for the Legislature of the State of Texas and the Congress of the United States to pass certain laws for the purpose of stabilizing and regulating the circulation of money and reducing governmental expenses; and

Whereas, Our President and our National Congress are now working out proper regulations and remedies in a special session called for that purpose; and

Whereas, Under the present unsettled conditions, laws may be enacted that would be injurious to the citizens of Texas, rather than be helpful; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That when the House adjourns Saturday, March 18, it stand adjourned until Monday, May 7, 1933, at ten (10) o'clock a. m. Be it further

Resolved, That no warrants be drawn for pay for Members or employes during such period, and that when the House meets on said May 7, the bills now pending be taken up on the calendar just as if there had been no recess, and that Members and employes draw pay as provided in the Constitution, just as if this recess had not been taken.

SAVAGE,
HARTZOG,
BARRON,
SHANNON,
ROGERS of Hunt.

The resolution was read second time.

Mr. Moore moved that the resolution be referred to the Committee on Liquor Traffic.

Mr. Canon moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—92

Adamson.	Harman.
Alexander.	Harris.
Alsup.	Harrison.
Anderson	Head.
of Johnson.	Hicks.
Baker.	Hill of Brazoria.
Barrett.	Hodges.
Beck.	Holekamp.
Calvert.	Holland.
Canon.	Holloway.
Cathey.	Hoskins.
Chastain.	Hughes.
Clayton.	Jackson.
Cowley.	James.
Crossley.	Jefferson.
Daniel.	Johnson
Davidson.	of Anderson.
Dean.	Jones of Atascosa.
Dunagan.	Jones of Runnels.
Engelhard.	Jones of Shelby.
Fain.	Kyle of Palo Pinto.
Fisher.	Laird.
Glass.	Latham.
Golson.	Leonard.
Goodman.	Lindsey.
Greathouse.	Long.
Griffith.	Lotief.
Haag.	Magee.
Hankamer.	McClain.

McCullough.
McDougald.
McGregor.
McKee.
Merritt.
Mitcham.
Moffett.
Moore.
Nicholson.
Palmer.
Pavlica.
Pope.
Puryear.
Ramsey.
Ratliff.
Ray.
Reader.
Reed of Bowie.
Renfro.

Roberts.
Rogers
of Ochiltree.
Ross.
Shults.
Stanfield.
Stinson.
Stovall.
Tennyson.
Thomas.
Tillery.
Townsend.
Turlington.
Vaughan.
Walker.
Winningham.
Wood.
Young.

Nays—25

Aikin.	Munson.
Barron.	Parkhouse.
Bourne.	Reed of Dallas.
Caven.	Rogers of Hunt.
Coombes.	Russell.
Devall.	Savage.
Good.	Shannon.
Hartzog.	Smith.
Hester.	Steward.
Hill of Webb.	Sullivant.
Hyder.	Wagstaff.
Mathis.	Weinert.
Metcalf.	

Present—Not Voting

Wells.

Absent

Bedford.	Kayton.
Burns.	Kyle of Hays.
Butler.	Lemens.
Camp.	Mackay.
Colson.	Morrison.
Dunlap.	Morse.
Duvall.	Patterson.
Dwyer.	Riddle.
Ford.	Rollins.
Fuchs.	Scarborough.
Graves.	Scott.
Huddleston.	Tarwater.
Hunt.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

PAIRED

Mr. Wells (present), who would vote "yea," with Mr. Lemens (absent), who would vote "nay."

SPECIAL ORDER SET

Mrs. Hughes moved that House Bill No. 807 be set as a special order for 10 o'clock a. m., next Friday.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—76

Alexander.	Johnson
Alsup.	of Anderson.
Anderson	Laird.
of Johnson.	Lindsey.
Bourne.	Long.
Calvert.	Mathis.
Cathey.	McCullough.
Caven.	McDougald.
Chastain.	Merritt.
Clayton.	Metcalfe.
Colson.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Devall.	Munson.
Dunlap.	Nicholson.
Dunagan.	Parkhouse.
Good.	Pavlica.
Goodman.	Ramsey.
Graves.	Ratliff.
Greathouse.	Reader.
Griffith.	Reed of Dallas.
Haag.	Renfro.
Hankamer.	Roberts.
Harman.	Rogers of Hunt.
Harris.	Ross.
Harrison.	Russell.
Hartzog.	Scarborough.
Hester.	Shannon.
Hill of Brazoria.	Smith.
Hill of Webb.	Steward.
Hodges.	Tennyson.
Holekamp.	Tillery.
Holland.	Wagstaff.
Hoskins.	Walker.
Hughes.	Weinert.
Hunt.	Wells.
Jackson.	Winningham.
James.	Wood.
Jefferson.	Young.

Nays—37

Adamson.	Kyle of Palo Pinto.
Aikin.	Latham.
Baker.	Lotief.
Barrett.	Magee.
Barron.	McKee.
Burns.	Palmer.
Canon.	Pope.
Crossley.	Puryear.
Daniel.	Ray.
Dean.	Reed of Bowie.
Engelhard.	Rogers
Fain.	of Ochiltree.
Glass.	Shults.
Golson.	Stinson.
Head.	Sullivant.
Hicks.	Thomas.
Jones of Atascosa.	Townsend.
Jones of Runnels.	Turlington.
Jones of Shelby.	Vaughan.

Present—Not Voting

Fisher.

Absent

Beck.	Leonard.
Bedford.	Mackay.
Butler.	McClain.
Camp.	McGregor.
Davidson.	Morrison.
Duvall.	Morse.
Dwyer.	Patterson.
Ford.	Riddle.
Fuchs.	Rollins.
Holloway.	Savage.
Huddleston.	Scott.
Hyder.	Stanfield.
Kayton.	Stovall.
Kyle of Hays.	Tarwater.
Lemens.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

Mr. Sullivant moved to reconsider the vote by which the motion by Mrs. Hughes was lost.

The motion to reconsider prevailed.

Mrs. Hughes moved that the Twenty-four-hour House Rule, relative to printed bills, be suspended, and that House Bill No. 807 be set as a special order for 10 o'clock a. m., next Friday.

The motion prevailed by the following vote:

Yeas—86

Alexander.	Graves.
Alsup.	Greathouse.
Anderson	Griffith.
of Johnson.	Haag.
Baker.	Hankamer.
Beck.	Harris.
Bourne.	Harrison.
Calvert.	Hartzog.
Camp.	Hester.
Canon.	Hill of Brazoria.
Cathey.	Hill of Webb.
Caven.	Holekamp.
Chastain.	Holland.
Clayton.	Hoskins.
Colson.	Hughes.
Coombes.	Hunt.
Cowley.	Hyder.
Crossley.	Jackson.
Davidson.	James.
Devall.	Jefferson.
Dunlap.	Johnson
Engelhard.	of Anderson.
Fisher.	Jones of Runnels.
Ford.	Laird.
Good.	Lindsey.
Goodman.	Long.

Mathis.	Ross.
McCullough.	Russell.
McDougald.	Scarborough.
McKee.	Scott.
Metcalfe.	Shannon.
Mitcham.	Smith.
Moffett.	Steward.
Moore.	Stovall.
Munson.	Sullivant.
Nicholson.	Tennyson.
Parkhouse.	Tillery.
Pavlica.	Wagstaff.
Ramsey.	Walker.
Ratliff.	Weinert.
Reader.	Wells.
Reed of Dallas.	Winningham.
Renfro.	Wood.
Rogers of Hunt.	Young.

Nays—34

Adamson.	Magee.
Aikin.	Merritt.
Barrett.	Palmer.
Barron.	Pope.
Burns.	Puryear.
Daniel.	Ray.
Dean.	Reed of Bowie.
Fain.	Rogers
Glass.	of Ochiltree.
Golson.	Shults.
Harman.	Stanfield.
Head.	Stinson.
Hicks.	Tarwater.
Jones of Atascosa.	Thomas.
Jones of Shelby.	Townsend.
Kyle of Palo Pinto.	Turlington.
Latham.	Vaughan.
Lotief.	

Absent

Bedford.	Leonard.
Butler.	Mackay.
Dunagan.	McClain.
Duvall.	McGregor.
Dwyer.	Morrison.
Fuchs.	Morse.
Hodges.	Patterson.
Holloway.	Riddle.
Huddleston.	Roberts.
Kayton.	Rollins.
Kyle of Hays.	Savage.
Lemens.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 218 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 218, A bill to be entitled "An Act requiring the Land Commissioner to ascertain and determine the amount of bonus and rental money due the State, and by whom due, under the operation, terms, and conditions of Chapter 81, printed Acts of the Second Called Session, of the Thirty-sixth Legislature and the amendment thereof, by the First Called Session, of the Thirty-seventh Legislature, which Acts are generally referred to as the Relinquishment Act, authorizing the Land Commissioner to settle and compromise such debts with the debtors on the basis of actual amounts found due, less all just and lawful credits; etc., and declaring an emergency";

The bill having been read second time on last Monday, with amendment by Mr. Jones of Atascosa pending.

Mrs. Hughes offered the following amendment to the amendment:

Amend the amendment to House Bill No. 218, Section 5, by adding after the word "State," where it first appears in line 36, the words: "against any lessor," and after the word "State," where it appears the second time in line 36, by adding the words: "by any lessor," and by striking out the word "debtor" in line 38, and inserting the word "lessor."

The amendment was adopted.

Mrs. Hughes offered the following amendment to the amendment:

Amend the amendment to House Bill No. 218, Section 5, by adding at the end thereof the following:

"Nor shall the provisions of this Section apply to any suit now pending, or hereafter instituted, against any lessee, but such suits may be prosecuted, notwithstanding any provisions of this Act."

The amendment was adopted.

Mrs. Hughes offered the following amendment to the amendment:

Amend the amendment to House Bill No. 218, Section 2, by adding at the end of said Section the following:

"Failure to pay any installment of principal or interest shall, at the option of the Land Commissioner, mature the whole amount of said indebtedness."

HUGHES,
CALVERT,
GRAVES,
VAUGHAN,
ANDERSON of Johnson.

The amendment was adopted.

Mrs. Hughes offered the following amendment to the amendment:

Amend the amendment to House Bill No. 218 by adding a new Section, to be known as Section 6-a, as follows:

"Section 6-a. The terms and provisions of this Act shall not apply to any bonus and/or rental money derived from a lease upon any section, or part of section, of land producing oil and/or gas in commercial, or paying, quantities at the effective date of this Act."

HUGHES,
CALVERT,
GRAVES,
VAUGHAN,
ANDERSON of Johnson.

The amendment was adopted.

Mrs. Hughes offered the following amendment to the amendment:

Amend the amendment to House Bill No. 218, Section 1, line 4, by inserting after the word "amounts," the following: "of bonus and rental."

HUGHES,
CALVERT,
VAUGHAN,
ANDERSON of Johnson,
GRAVES.

The amendment was adopted.

The amendment by Mr. Jones of Atascosa, as amended, was then adopted.

House Bill No. 218 was then passed to engrossment by the following vote:

Yeas—83

Alexander.	Greathouse.
Alsup.	Griffith.
Anderson	Haag.
of Johnson.	Hankamer.
Baker.	Harris.
Beck.	Head.
Bedford.	Hill of Webb.
Bourne.	Holland.
Calvert.	Hughes.
Caven.	Hyder.
Chastain.	Jackson.
Clayton.	Johnson
Colson.	of Anderson.
Crossley.	Jones of Atascosa.
Daniel.	Jones of Runnels.
Davidson.	Kyle of Palo Pinto.
Dean.	Laird.
Devall.	Latham.
Engelhard.	Lemens.
Fain.	Lindsey.
Ford.	Lotief.
Fuchs.	Mackay.
Golson.	McCullough.

McDougald.
McGregor.
McKee.
Merritt.
Metcalf.
Mitcham.
Moffett.
Moore.
Nicholson.
Palmer.
Pavlica.
Pope.
Ratliff.
Reed of Dallas.
Renfro.
Roberts.
Rogers
of Ochiltree.
Rollins.
Ross.

Russell.
Savage.
Scott.
Shannon.
Shults.
Smith.
Stanfield.
Steward.
Sullivant.
Tarwater.
Tennyson.
Thomas.
Townsend.
Turlington.
Wagstaff.
Walker.
Weinert.
Wells.
Wood.
Young.

Nays—32

Adamson.	Hunt.
Aikin.	James.
Barrett.	Jefferson.
Camp.	Long.
Canon.	Magee.
Coombes.	McClain.
Cowley.	Parkhouse.
Fisher.	Puryear.
Glass.	Ray.
Graves.	Reed of Bowie.
Hicks.	Rogers of Hunt.
Hill of Brazoria.	Scarborough.
Hodges.	Stinson.
Holekamp.	Tillery.
Hoskins.	Vaughan.
Huddleston.	Winningham.

Absent

Barron.	Jones of Shelby.
Burns.	Kayton.
Butler.	Kyle of Hays.
Cathey.	Leonard.
Dunlap.	Mathis.
Dunagan.	Morrison.
Duvall.	Morse.
Dwyer.	Munson.
Good.	Patterson.
Goodman.	Ramsey.
Harman.	Reader.
Harrison.	Riddle.
Hartzog.	Stovall.
Hester.	West.
Holloway.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

MOTION TO TAKE UP HOUSE BILL NO. 218

Mr. Jones of Atascosa moved that the constitutional rule, requiring bills

to be read on three several days, be suspended, and that House Bill No. 218 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—88

Aikin.	Lemens.
Alexander.	Lindsey.
Alsup.	Long.
Anderson	Lotief.
of Johnson.	Mackay.
Baker.	McCullough.
Beck.	McDougald.
Bedford.	McGregor.
Bourne.	McKee.
Calvert.	Merritt.
Caven.	Mitcham.
Chastain.	Moffett.
Clayton.	Moore.
Colson.	Morrison.
Coombes.	Nicholson.
Crossley.	Palmer.
Daniel.	Pavlica.
Davidson.	Pope.
Dean.	Ratliff.
Devall.	Reed of Dallas.
Engelhard.	Renfro.
Fain.	Riddle.
Ford.	Roberts.
Fuchs.	Rogers
Golson.	of Ochiltree.
Greathouse.	Ross.
Griffith.	Russell.
Haag.	Savage.
Hankamer.	Scott.
Harris.	Shannon.
Head.	Shults.
Hester.	Smith.
Hill of Webb.	Stanfield.
Holekamp.	Steward.
Holland.	Sullivant.
Hughes.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
Jefferson.	Townsend.
Johnson	Turlington.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Weinert.
Kyle of Palo Pinto.	Wood.
Laird.	Young.
Latham.	

Nays—27

Adamson.	Hodges.
Barrett.	Hoskins.
Camp.	Huddleston.
Canon.	Hunt.
Fisher.	James.
Glass.	Magee.
Goodman.	Parkhouse.
Hicks.	Puryear.
Hill of Brazoria.	Ray.

Reed of Bowie.	Tillery.
Rogers of Hunt.	Vaughan.
Rollins.	Wells.
Scarborough.	Winningham.
Stinson.	

Absent

Barron.	Jones of Shelby.
Burns.	Kayton.
Butler.	Kyle of Hays.
Cathey.	Leonard.
Cowley.	Mathis.
Dunlap.	McClain.
Dunagan.	Metcalfe.
Duvall.	Morse.
Dwyer.	Munson.
Good.	Patterson.
Graves.	Ramsey.
Harman.	Reader.
Harrison.	Stovall.
Hartzog.	West.
Holloway.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 596 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 596, A bill to be entitled "An Act creating the office of county purchasing agent in all counties in this State having a population of more than one hundred thousand (100,000) inhabitants and less than one hundred and fifty thousand (150,000) inhabitants, according to the last preceding Federal Census, or any succeeding Census; providing for the appointment of such agent; prescribing his duties, and fixing his compensation; making it unlawful for any person, firm, or corporation to purchase any supplies, materials, and equipment for, or to contract for, any repairs to property used by such county or any subdivision, officer, or employee thereof, except such purchasing agent, and making it unlawful for the county auditor to draw, or for the county treasurer to honor, any county warrants drawn for such supplies, etc., and declaring an emergency."

The bill was read second time.

Mr. McDougald offered the following amendments to the bill:

(1)

Amend House Bill No. 596 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. In all counties in this State having a population of more than one hundred thousand (100,000) inhabitants and less than one hundred and fifty thousand (150,000) inhabitants, as shown by the latest United States Census, and containing two (2) cities of fifty thousand (50,000) inhabitants, or more, each as shown by the latest United States Census, the commissioners court of such county shall appoint a suitable person, who shall act as county purchasing agent for such county, who shall hold his office at the pleasure of the commissioners court, or a majority thereof; it shall be the duty of such agent to make all purchases for such county of all supplies, materials, and equipment required or used by such county, or by a subdivision, officer, or employe thereof, excepting such purchases as may by law be required to be made by competitive bid, and to contract for all repairs to property used by such county, its subdivision, officers, and employes, except such as by law are required to be contracted for by competitive bid. All purchases made by such agent shall be paid for by warrants drawn by the county auditor on the county treasurer of such county, as in the manner now provided by law. It shall be unlawful for any person, firm, or corporation, other than such purchasing agent, to purchase any supplies, materials, and equipment for, or to contract for, any repairs to property used by such county, or any subdivision, officer, or employe thereof, and no warrant shall be drawn by the county auditor or honored by the county treasurer of any such county for any purchases, except by such agent and those made by competitive bid, as now provided by law. On the first day of July of each year, such purchasing agent shall file, with the commissioners court of such county, an inventory of all property of the county, and of each subdivision, officer, or employe thereof, then on hand, and it shall be the duty of the county auditor to carefully examine such inventory, and to make an accounting for all property purchased or previously inventoried and not appearing in

such inventory. In order to prevent unnecessary purchases, such agent shall have authority, and it shall be his duty, to transfer county supplies, materials, and equipment from any subdivision, department, officer, or employe of the county when such supplies, materials, or equipment are not actually needed or used by such subdivision, department, officer, or employe to any such subdivision, department, officer, or employe that may require such supplies and materials, or the use of such equipment; and such agent shall furnish to the county auditor a list of such supplies, materials, and equipment so transferred. Such agent shall receive, as compensation for his services, a salary not to exceed two thousand four hundred dollars (\$2,400) per year, payable in monthly installments, not to exceed two hundred dollars (\$200) each. Eighty per cent (80%) of such salary shall be paid out of the road and bridge fund and twenty per cent (20%) thereof out of the general fund of such county, by warrant drawn on the county treasurer by the county auditor.

"Sec. 2. It shall be the duty of such purchasing agent to supervise all purchases made on competitive bid, and to see that all supplies, materials, and equipment contracted for are delivered to the proper county officer, or department, in accordance with the contract of purchase.

"Sec. 3. Such county purchasing agent in making purchases for the county, as above provided, shall be governed by, and subject to, the 'Uniform Budget Law,' and to all other laws governing the purchase of supplies, materials, and equipment for the use of the county, its subdivisions, officers, and employes.

"Sec. 4. The provisions of this Act shall apply to all purchases of supplies, materials, and equipment for the use of the county and its officers, whether contracted for by the commissioners court, or any officer authorized to bind the county by contract, and shall include purchases made by officers payable out of fees of office, or otherwise. It is the intention of this Act to cover all purchases of supplies, materials, and equipment of every kind and character. Any officer making such purchases out of fees of office shall not be entitled to deduct

the amount of said purchases from the amount of excess fees, if any, due the county.

"Sec. 5. Any officer, agent, or employe of such county, its subdivisions, or departments, or any other person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than two hundred dollars (\$200), or more than one thousand dollars (\$1,000), or imprisoned in the county jail for not less than thirty (30) days, or more than one (1) year, or by both such fine and imprisonment.

"Sec. 6. The fact that various and sundry officials and subordinates are now purchasing quantities of materials and supplies for such counties, their subdivisions, officers, and employes, in this State at prices grossly excessive of their true value, and there is no officer charged with the duty of securing such supplies and materials at the lowest possible market value, and there is no law adequate to stop such practices, and the county is thereby defrauded of large sums of money, and the crowded condition of the calendar create an emergency and an imperative public necessity that the constitutional rule, that bills be read on three separate days in each House of the Legislature, be suspended, and said rule is hereby suspended, and that this bill take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 596 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"H. B. No. 596,

A BILL

To Be Entitled

An Act creating the office of county purchasing agent in all counties in this State having a population of more than one hundred thousand (100,000) inhabitants and less than one hundred and fifty thousand (150,000) inhabitants, as shown by the latest United States Census, and containing two (2) cities of fifty thousand (50,000) inhabitants, or more, each, as shown by the latest United States Census; providing for

the appointment of such agent, prescribing his duties, and fixing his compensation, making it unlawful for any person, firm, or corporation to purchase any supplies, materials, and equipment for, or to contract for, any repairs to property used by such county, or any subdivision, officer, or employe thereof, except such purchasing agent, and making it unlawful for the county auditor to draw, or for the county treasurer to honor, any county warrants drawn for such supplies, materials, repairs, and equipment unless the same shall have been purchased or contracted for by such agent, providing that such agent shall annually file an inventory of all property of such county with the commissioners court of such county, and prescribing the duties of the county auditor with reference to such inventory, providing for the transfer by such agent of county supplies, materials, and equipment from a subdivision, department, officer, or employe of such county to other subdivisions, departments, officers, and employes of said county, prescribing a penalty for the violation of this Act, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 596 was then passed to engrossment.

HOUSE BILL NO. 596 ON THIRD READING

Mr. McDougald moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 596 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Clayton.
Aikin.	Colson.
Alexander.	Cowley.
Anderson	Crossley.
of Johnson.	Daniel.
Baker.	Davidson.
Barrett.	Devall.
Barron.	Fain.
Bourne.	Fisher.
Burns.	Ford.
Camp.	Fuchs.
Canon.	Glass.
Chastain.	Golson.

Goodman.	Mitcham.
Griffith.	Moffett.
Haag.	Moore.
Hankamer.	Morrison.
Harman.	Munson.
Harris.	Parkhouse.
Harrison.	Pavlica.
Hartzog.	Pope.
Head.	Ratliff.
Hester.	Ray.
Hicks.	Reed of Bowie.
Hill of Webb.	Reed of Dallas.
Hodges.	Renfro.
Holekamp.	Roberts.
Hoskins.	Rogers
Hughes.	of Ochiltree.
Hunt.	Ross.
Hyder.	Russell.
Jackson.	Savage.
James.	Scarborough.
Jefferson.	Scott.
Johnson	Shannon.
of Anderson.	Shults.
Jones of Atascosa.	Stanfield.
Jones of Runnels.	Steward.
Kayton.	Stinson.
Kyle of Palo Pinto.	Stovall.
Laird.	Sullivant.
Latham.	Tarwater.
Lindsey.	Tennyson.
Lotief.	Tillery.
Magee.	Turlington.
Mackay.	Vaughan.
McClain.	Walker.
McCullough.	Weinert.
McDougald.	Wells.
McKee.	Winningham.
Merritt.	Wood.
Metcalf.	Young.

Nays—1

Rollins.

Present—Not Voting

Coombes.
Puryear.

Townsend.

Absent

Alsup.	Holloway.
Beck.	Huddleston.
Bedford.	Jones of Shelby.
Butler.	Kyle of Hays.
Calvert.	Lemens.
Cathey.	Leonard.
Caven.	Long.
Dean.	Mathis.
Dunlap.	McGregor.
Dunagan.	Morse.
Duvall.	Nicholson.
Dwyer.	Palmer.
Engelhard.	Patterson.
Good.	Ramsey.
Graves.	Reader.
Greathouse.	Riddle.
Hill of Brazoria.	Rogers of Hunt.
Holland.	Smith.

Thomas.	West.
Wagstaff.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 596 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Kayton.
Anderson	Kyle of Palo Pinto.
of Johnson.	Laird.
Baker.	Latham.
Barrett.	Lindsey.
Barron.	Lotief.
Bedford.	Magee.
Bourne.	Mackay.
Burns.	McClain.
Canon.	McCullough.
Caven.	McDougald.
Chastain.	McGregor.
Clayton.	Merritt.
Cowley.	Metcalf.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Moore.
Devall.	Morrison.
Dunagan.	Munson.
Fain.	Parkhouse.
Fisher.	Pavlica.
Ford.	Pope.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reed of Bowie.
Goodman.	Reed of Dallas.
Griffith.	Renfro.
Haag.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Rogers
Harris.	of Ochiltree.
Harrison.	Rollins.
Hartzog.	Ross.
Head.	Savage.
Hester.	Scarborough.
Hicks.	Scott.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Hodges.	Stanfield.
Holland.	Steward.
Hoskins.	Stinson.
Hughes.	Stovall.
Hyder.	Sullivant.
Jackson.	Tarwater.
James.	Tennyson.
Jefferson.	Thomas.
Johnson	Tillery.
of Anderson.	Turlington.

Vaughan.	Winningham.
Walker.	Wood.
Weinert.	Young.
Wells.	

Nays—3

Huddleston.	Russell.
Puryear.	

Present—Not Voting

Coombes.	Townsend.
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Absent

Alsup.	Jones of Shelby.
Beck.	Kyle of Hays.
Butler.	Lemens.
Calvert.	Leonard.
Camp.	Long.
Cathey.	Mathis.
Colson.	McKee.
Dean.	Morse.
Dunlap.	Nicholson.
Duvall.	Palmer.
Dwyer.	Patterson.
Engelhard.	Ramsey.
Good.	Reader.
Graves.	Riddle.
Greathouse.	Smith.
Holekamp.	Wagstaff.
Holloway.	West.
Hunt.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 667 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 667, A bill to be entitled "An Act defining from what fund the compensation of county commissioners may be paid in counties having a population of not more than six thousand three hundred and twenty (6,320), and not less than six thousand three hundred and ten (6,310), according to the most recent United States Census."

The bill was read second time.

Mr. Moffett asked unanimous consent of the House to add the emergency clause to the bill.

There was no objection offered, and it was so ordered.

House Bill No. 667 was then passed to engrossment.

HOUSE BILL NO. 667 ON THIRD
READING

Mr. Moffett moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 667 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Lindsey.
Aikin.	Lotief.
Alexander.	Magee.
Anderson	Mackay.
of Johnson.	McClain.
Baker.	McCullough.
Barrett.	McKee.
Barron.	Merritt.
Bedford.	Metcalfe.
Bourne.	Mitcham.
Burns.	Moffett.
Canon.	Moore.
Chastain.	Morrison.
Coombes.	Munson.
Cowley.	Nicholson.
Crossley.	Parkhouse.
Daniel.	Pavlica.
Devall.	Pope.
Fain.	Puryear.
Fisher.	Ratliff.
Ford.	Ray.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Goodman.	Renfro.
Griffith.	Roberts.
Haag.	Rogers of Hunt.
Hankamer.	Rogers
Harman.	of Ochiltree.
Harris.	Rollins.
Harrison.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hester.	Scarborough.
Hicks.	Scott.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Sullivant.
Hunt.	Tarwater.
Hyder.	Tennyson.
James.	Thomas.
Jefferson.	Tillery.
Johnson	Townsend.
of Anderson.	Turlington.
Jones of Atascosa.	Vaughan.
Jones of Runnels.	Walker.
Kyle of Palo Pinto.	Wells.
Laird.	Winningham.
Latham.	Wood.
Lemens.	Young.

Absent

Alsup.	Holloway.
Beck.	Jackson.
Butler.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Cathey.	Leonard.
Caven.	Long.
Clayton.	Mathis.
Colson.	McDougald.
Davidson.	McGregor.
Dean.	Morse.
Dunlap.	Palmer.
Dunagan.	Patterson.
Duvall.	Ramsey.
Dwyer.	Reader.
Engelhard.	Riddle.
Golson.	Smith.
Good.	Wagstaff.
Graves.	Weinert.
Greathouse.	West.
Holland.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 667 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—108

Adamson.	Haag.
Aikin.	Hankamer.
Alexander.	Harman.
Anderson	Harris.
of Johnson.	Harrison.
Baker.	Hartzog.
Barrett.	Head.
Barron.	Hester.
Bedford.	Hicks.
Bourne.	Hill of Brazoria.
Burns.	Hill of Webb.
Canon.	Hodges.
Chastain.	Holekamp.
Clayton.	Hoskins.
Coombes.	Huddleston.
Cowley.	Hughes.
Crossley.	Hunt.
Daniel.	Hyder.
Dean.	James.
Devall.	Jefferson.
Fain.	Johnson
Fisher.	of Anderson.
Ford.	Jones of Atascosa.
Fuchs.	Jones of Runnels.
Glass.	Kayton.
Golson.	Kyle of Palo Pinto.
Goodman.	Laird.
Griffith.	Latham.

Lemens.	Rogers
Lindsey.	of Ochiltree.
Lotief.	Rollins.
Magee.	Ross.
Mackay.	Russell.
McCullough.	Savage.
McDougald.	Scarborough.
McKee.	Scott.
Merritt.	Shannon.
Metcalfe.	Shults.
Mitcham.	Stanfield.
Moffett.	Steward.
Moore.	Stinson.
Morrison.	Stovall.
Munson.	Sullivan.
Nicholson.	Tarwater.
Parkhouse.	Tennyson.
Pavlica.	Thomas.
Pope.	Tillery.
Purveyer.	Turlington.
Ratliff.	Vaughan.
Ray.	Walker.
Reed of Bowie.	Weinert.
Reed of Dallas.	Wells.
Renfro.	Winningham.
Riddle.	Wood.
Roberts.	Young.
Rogers of Hunt.	

Absent

Alsup.	Holloway.
Beck.	Jackson.
Butler.	Jones of Shelby.
Calvert.	Kyle of Hays.
Camp.	Leonard.
Cathey.	Long.
Caven.	Mathis.
Colson.	McClain.
Davidson.	McGregor.
Dunlap.	Morse.
Dunagan.	Palmer.
Duvall.	Patterson.
Dwyer.	Ramsey.
Engelhard.	Reader.
Good.	Smith.
Graves.	Townsend.
Greathouse.	Wagstaff.
Holland.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 764 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 764, A bill to be entitled "An Act prohibiting the use of seines, nets, and trawls, or the possession of seines, nets, or trawls, in certain tidal waters of Willacy County; prescrib-

ing a penalty for violation of any provision of this Act; repealing all laws in so far as they may conflict with any provision of this Act; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 764 ON THIRD READING

Mr. Dunlap moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 764 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Aikin.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Runnels.
Anderson	Kayton.
of Johnson.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Bourne.	Latham.
Burns.	Lindsey.
Canon.	Lotief.
Caven.	Magee.
Chastain.	Mackay.
Colson.	McClain.
Coombes.	McCullough.
Cowley.	McDougald.
Crossley.	McGregor.
Daniel.	McKee.
Davidson.	Merritt.
Dean.	Metcalfe.
Devall.	Mitcham.
Fain.	Moffett.
Fisher.	Moore.
Ford.	Morrison.
Glass.	Munson.
Golson.	Nicholson.
Good.	Parkhouse.
Goodman.	Pavlica.
Greathouse.	Ratliff.
Griffith.	Ray.
Haag.	Reed of Bowie.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Harris.	Riddle.
Harrison.	Roberts.
Hartzog.	Rogers of Hunt.
Head.	Rogers
Hester.	of Ochiltree.
Hicks.	Rollins.
Hill of Brazoria.	Ross.
Hill of Webb.	Russell.
Hodges.	Savage.
Holekamp.	Scarborough.
Hoskins.	Scott.
Hughes.	Shannon.
Hunt.	Shults.
Hyder.	Stanfield.
James.	Steward.

Stinson.	Turlington.
Stovall.	Vaughan.
Sullivant.	Wagstaff.
Tarwater.	Walker.
Tennyson.	Wells.
Thomas.	Winningham.
Tillery.	Wood.
Townsend.	Young.

Present—Not Voting

Puryear.

Absent

Adamson.	Huddleston.
Barrett.	Jackson.
Barron.	Jefferson.
Beck.	Jones of Atascosa.
Bedford.	Jones of Shelby.
Butler.	Laird.
Calvert.	Lemens.
Camp.	Leonard.
Cathey.	Long.
Clayton.	Mathis.
Dunlap.	Morse.
Dunagan.	Palmer.
Duvall.	Patterson.
Dwyer.	Pope.
Engelhard.	Ramsey.
Fuchs.	Reader.
Graves.	Smith.
Holland.	Weinert.
Holloway.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 764 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105

Aikin.	Dunagan.
Alexander.	Fain.
Anderson	Fisher.
of Johnson.	Ford.
Baker.	Fuchs.
Beck.	Glass.
Bedford.	Golson.
Bourne.	Good.
Burns.	Goodman.
Calvert.	Griffith.
Canon.	Haag.
Caven.	Hankamer.
Chastain.	Harman.
Clayton.	Harris.
Colson.	Harrison.
Coombes.	Hartzog.
Crossley.	Head.
Daniel.	Hester.
Devall.	Hicks.

Hill of Brazoria.	Puryear.
Hill of Webb.	Ratliff.
Hodges.	Ray.
Holekamp.	Reed of Bowie.
Hoskins.	Reed of Dallas.
Hughes.	Renfro.
Hyder.	Rogers of Hunt.
James.	Rogers
Jefferson.	of Ochiltree.
Johnson	Rollins.
of Anderson.	Ross.
Jones of Atascosa.	Russell.
Jones of Runnels.	Savage.
Kayton.	Scarborough.
Kyle of Hays.	Scott.
Kyle of Palo Pinto.	Shannon.
Laird.	Shults.
Latham.	Stanfield.
Lemens.	Steward.
Lindsey.	Stinson.
Lotief.	Stovall.
Magee.	Sullivant.
Mackay.	Tarwater.
McClain.	Tennyson.
McCullough.	Thomas.
McDougald.	Tillery.
Metcalfe.	Townsend.
Mitcham.	Turlington.
Moffett.	Vaughan.
Moore.	Wagstaff.
Morrison.	Walker.
Munson.	Wells.
Nicholson.	Winningham.
Parkhouse.	Wood.
Pavlica.	Young.

Present—Not Voting

Roberts.

Absent

Adamson.	Hunt.
Alsup.	Jackson.
Barrett.	Jones of Shelby.
Barron.	Leonard.
Butler.	Long.
Camp.	Mathis.
Cathey.	McGregor.
Cowley.	McKee.
Davidson.	Merritt.
Dean.	Morse.
Dunlap.	Palmer.
Duvall.	Patterson.
Dwyer.	Pope.
Engelhard.	Ramsey.
Graves.	Reader.
Greathouse.	Riddle.
Holland.	Smith.
Holloway.	Weinert.
Huddleston.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

RELATIVE TO THE CONSIDERATION OF BILLS

On motion of Mr. Burns, the House agreed to consider at this time general bills of an uncontested nature, with the understanding that if they are contested, they be withdrawn, and also that they be not charged as a suspension request of the Member requesting the passage of the bill.

HOUSE BILL NO. 271 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 271, A bill to be entitled "An Act to provide that transferors for collection of negotiable instruments shall be preferred creditors of State banks, and/or State bank and trust companies, authorized to do business under the laws of the State of Texas, in certain cases, and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 271 ON THIRD READING

Mr. Savage moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Fisher.
Aikin.	Ford.
Alsup.	Fuchs.
Anderson	Glass.
of Johnson.	Golson.
Baker.	Good.
Barron.	Goodman.
Beck.	Greathouse.
Bedford.	Griffith.
Bourne.	Hankamer.
Burns.	Harman.
Calvert.	Hartzog.
Camp.	Head.
Canon.	Hester.
Chastain.	Hicks.
Clayton.	Hill of Brazoria.
Colson.	Hoskins.
Daniel.	Hughes.
Davidson.	James.
Dean.	Jefferson.
Devall.	Johnson
Dunlap.	of Anderson.
Fain.	Jones of Atascosa.

Jones of Runnels.	Reed of Bowie.
Kayton.	Reed of Dallas.
Kyle of Hays.	Renfro.
Kyle of Palo Pinto.	Riddle.
Laird.	Rogers
Latham.	of Ochiltree.
Lemens.	Ross.
Leonard.	Russell.
Lindsey.	Scott.
Lotief.	Shannon.
Magee.	Shults.
Mackay.	Stanfield.
McClain.	Steward.
McGregor.	Stinson.
McKee.	Stovall.
Merritt.	Sullivant.
Metcalfe.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Morrison.	Tillery.
Munson.	Townsend.
Nicholson.	Vaughan.
Palmer.	Wagstaff.
Parkhouse.	Walker.
Pavlica.	Weinert.
Pope.	Wells.
Puryear.	Winningham.
Ratliff.	Wood.
Ray.	Young.

Nays—6

Alexander.	Hunt.
Harris.	Hyder.
Huddleston.	Rollins.

Present—Not Voting

Haag.

Absent

Barrett.	Jackson.
Butler.	Jones of Shelby.
Cathey.	Long.
Caven.	Mathis.
Coombes.	McCullough.
Cowley.	McDougald.
Crossley.	Moore.
Dunagan.	Morse.
Duvall.	Patterson.
Dwyer.	Ramsey.
Engelhard.	Reader.
Graves.	Roberts.
Harrison.	Rogers of Hunt.
Hill of Webb.	Savage.
Hodges.	Scarborough.
Holekamp.	Smith.
Holland.	Turlington.
Holloway.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 271 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105

Adamson.	Jones of Runnels.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Latham.
of Johnson.	Lemens.
Baker.	Lindsey.
Barron.	Lotief.
Beck.	Magee.
Bedford.	Mackay.
Bourne.	McClain.
Burns.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Caven.	Moore.
Chastain.	Morrison.
Clayton.	Munson.
Colson.	Palmer.
Coombes.	Parkhouse.
Crossley.	Pavlica.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ratliff.
Devall.	Ray.
Dunlap.	Reed of Bowie.
Fain.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Riddle.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Ross.
Greathouse.	Russell.
Griffith.	Savage.
Hankamer.	Scott.
Harman.	Shannon.
Harris.	Shults.
Harrison.	Stanfield.
Hartzog.	Steward.
Head.	Stinson.
Hester.	Stovall.
Hicks.	Sullivant.
Hill of Brazoria.	Tennyson.
Hodges.	Thomas.
Holekamp.	Tillery.
Hoskins.	Townsend.
Huddleston.	Vaughan.
Hughes.	Wagstaff.
Hyder.	Weinert.
James.	Winningham.
Jefferson.	Young.
Jones of Atascosa.	

Present—Not Voting

Haag.	Wood.
Nicholson.	

Absent

Barrett.	Long.
Butler.	Mathis.
Cathey.	McCullough.
Cowley.	McDougald.
Dunagan.	McGregor.
Duvall.	McKee.
Dwyer.	Morse.
Engelhard.	Patterson.
Graves.	Ramsey.
Hill of Webb.	Reader.
Holland.	Rollins.
Holloway.	Scarborough.
Hunt.	Smith.
Jackson.	Tarwater.
Johnson	Turlington.
of Anderson.	Walker.
Jones of Shelby.	Wells.
Laird.	West.
Leonard.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 475 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 475, A bill to be entitled "An Act amending Section 28, of Chapter 212, Acts of Regular Session, Fortieth Legislature; and declaring an emergency." (Relating to discharge of prisoners.)

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 475 ON THIRD
READING

Mr. Burns moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 475 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Canon.
Aikin.	Caven.
Alexander.	Chastain.
Alsup.	Clayton.
Anderson	Colson.
of Johnson.	Coombes.
Baker.	Crossley.
Beck.	Daniel.
Bourne.	Davidson.
Burns.	Dean.
Calvert.	Devall.
Camp.	Fain.

Fisher.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Munson.
Good.	Nicholson.
Goodman.	Palmer.
Greathouse.	Parkhouse.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ratliff.
Harrison.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Renfro.
Hester.	Riddle.
Hicks.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Hoskins.	Rollins.
Huddleston.	Ross.
Hughes.	Russell.
Hunt.	Savage.
Hyder.	Shults.
James.	Stanfield.
Jefferson.	Steward.
Johnson	Stinson.
of Anderson.	Stovall.
Jones of Atascosa.	Sullivant.
Jones of Runnels.	Tarwater.
Kayton.	Thomas.
Kyle of Hays.	Tillery.
Kyle of Palo Pinto.	Townsend.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lindsey.	Walker.
Lotief.	Weinert.
Magee.	Winningham.
Mackay.	Wood.
Merritt.	Young.
Metcalf.	

Absent

Barrett.	Long.
Barron.	Mathis.
Bedford.	McClain.
Butler.	McCullough.
Cathey.	McDougald.
Cowley.	McGregor.
Dunlap.	McKee.
Dunagan.	Morse.
Duvall.	Patterson.
Dwyer.	Ramsey.
Engelhard.	Ray.
Graves.	Reader.
Griffith.	Scarborough.
Hill of Webb.	Scott.
Holland.	Shannon.
Holloway.	Smith.
Jackson.	Tennyson.
Jones of Shelby.	Turlington.
Laird.	Wells.
Latham.	West.

Absent—Excused

Anderson of Bexar. Bradley.

Few. Van Zandt.
Johnson of Dimmit.

The Speaker then laid House Bill No. 475 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—108

Adamson.	Kyle of Palo Pinto.
Aikin.	Latham.
Alexander.	Lemens.
Anderson	Leonard.
of Johnson.	Lindsey.
Baker.	Lotief.
Barron.	Magee.
Beck.	Mackay.
Bourne.	McClain.
Burns.	McKee.
Calvert.	Merritt.
Camp.	Metcalfe.
Canon.	Mitcham.
Caven.	Moffett.
Chastain.	Moore.
Clayton.	Morrison.
Colson.	Munson.
Coombes.	Nicholson.
Crossley.	Palmer.
Daniel.	Parkhouse.
Davidson.	Pavlica.
Dean.	Pope.
Devall.	Puryear.
Fain.	Ratliff.
Fisher.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Greathouse.	of Ochiltree.
Haag.	Rollins.
Hankamer.	Ross.
Harman.	Savage.
Harris.	Scarborough.
Harrison.	Shannon.
Hartzog.	Shults.
Head.	Stanfield.
Hester.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
Hyder.	Turlington.
James.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.
Kayton.	Young.
Kyle of Hays.	

Absent

Alsup.	Jones of Shelby.
Barrett.	Laird.
Bedford.	Long.
Butler.	Mathis.
Cathey.	McCullough.
Cowley.	McDougald.
Dunlap.	McGregor.
Dunagan.	Morse.
Duvall.	Patterson.
Dwyer.	Ramsey.
Engelhard.	Ray.
Graves.	Reader.
Griffith.	Russell.
Hill of Webb.	Scott.
Holland.	Smith.
Holloway.	Weinert.
Jackson.	Wells.
Jefferson.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 575 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 575, A bill to be entitled "An Act for the purpose of making plain the salute to the Texas Flag, and giving uniformity to the salute; providing a clear description of the Flag, to the end that pupils in the lower grades of the elementary school will be able to draw or make the Flag; providing for the standardization of the star in the blue stripe in the dimensions used, and its position in the stripe, so that uniformity shall be the result hereafter in the making of Texas Flags; describing the method of construction of the star in language that is definite and clear; and outlining rules for correct use and display of the Texas Flag, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 575 ON THIRD READING

Mr. Coombes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 575 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97

Adamson.	Latham.
Alexander.	Lemens.
Alsup.	Leonard.
Anderson	Lindsey.
of Johnson.	Magee.
Baker.	Mackay.
Barron.	McClain.
Beck.	McDougald.
Bourne.	Merritt.
Burns.	Metcalfe.
Canon.	Mitcham.
Caven.	Moffett.
Chastain.	Moore.
Clayton.	Morrison.
Colson.	Munson.
Coombes.	Nicholson.
Crossley.	Parkhouse.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ratliff.
Devall.	Ray.
Engelhard.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Riddle.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Rollins.
Greathouse.	Ross.
Haag.	Russell.
Hankamer.	Savage.
Harrison.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tarwater.
Hoskins.	Tennyson.
Hughes.	Thomas.
Hunt.	Tillery.
Hyder.	Townsend.
James.	Turlington.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Runnels.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.

Nays—9

Aikin.	Reed of Bowie.
Calvert.	Scarborough.
Fain.	Stanfield.
Huddleston.	Vaughan.
Kayton.	

Present—Not Voting

Lotief.

Absent

Barrett.	Butler.
Bedford.	Camp.

Cathey.	Laird.
Cowley.	Long.
Dunlap.	Mathis.
Dunagan.	McCullough.
Duvall.	McGregor.
Dwyer.	McKee.
Graves.	Morse.
Griffith.	Palmer.
Harman.	Patterson.
Harris.	Pavlica.
Hill of Webb.	Ramsey.
Holland.	Reader.
Holloway.	Smith.
Jackson.	Weinert.
Jefferson.	Wells.
Jones of Atascosa.	West.
Jones of Shelby.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 575 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 431 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 431, A bill to be entitled "An Act to amend Chapter 2, Title 128, Revised Civil Statutes of Texas, by adding thereto, after Article 7700, Article 7700-a, authorizing the issuance of funding, refunding, and amortization bonds by water improvement districts, prescribing the method thereof, the terms thereof, and declaring an emergency."

The bill was read second time.

Mr. Clayton offered the following committee amendments to the bill:

(1)

Amend House Bill No. 431 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. That Chapter 2, Title 128, of the Revised Civil Statutes of Texas, 1925, be, and the same is hereby, amended by inserting therein, after Article 7700, the following:

"Article 7700-a. When a water improvement district, which obtains its water supply under contract with the

United States Government, shall be in default in the payment of interest and/or principal upon bonds theretofore issued by such district, and in the judgment of the board of directors of such district, it shall be deemed advisable so to do, the board of directors may authorize the issuance of bonds to fund or refund such indebtedness, including bonds, indebtedness, and accrued interest thereon, and the interest on notes lawfully issued to pay for the construction or acquisition of irrigation and drainage works;

"Provided, that no bonds shall be issued until the issuance thereof shall have been submitted to the qualified electors of said district, in the manner and form now authorized by law, and the provisions of law now governing the issuance of bonds and the form and contents thereof shall be applicable, except as herein otherwise provided.

"Such bonds may be issued either in serial form or in such other form as shall provide for the annual payment of interest and principal in a single amount, represented by coupons, and the board of directors of such district shall prescribe the form and contents of such bonds and coupons thereto attached, as the one form or the other of bonds shall be decided upon; and the amortization of both interest and principal on such bonds shall be accomplished within a period of not to exceed forty years from the date of the issuance of such bonds.

"All funding and/or refunding bonds issued under this Act shall be negotiable in form and payable in lawful gold coin of the United States of the present standard. If in serial form, the bonds issued shall be numbered consecutively, commencing with Number One and following in numerical order, and shall mature serially in annual amounts, so as to be approximately equal, principal and interest, in not less than five years, nor more than forty years, after the date of the issuance, as the board of directors may determine.

"If amortization bonds be issued, providing for the annual payment of interest and principal, in a single amount, represented by coupons, such coupons, for the first five years, may be for such an amount as in the judgment of the board shall be economically sound and within the power of the district to pay, and during the re-

mainder of the life of said bonds, such coupons shall be in equal annual amounts, and in such sum as will liquidate the remainder of said bonds within forty years after the date thereof.

"The provisions of Article 7703 shall not be mandatory in the issuance of bonds authorized in this Article, but shall be discretionary with the board of directors of such district, and if suit be brought, shall be subject to the provisions, and governed by the statutes, now relating to such suits."

"Sec. 2. The fact that there is now no statute authorizing the issuance of amortization bonds, and that, owing to the economic depression, irrigation districts, in some instances, are unable to meet their bonded obligations, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and that this Act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted."

(2)

Amend House Bill No. 431 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 431,

A BILL

To Be Entitled

An Act to amend Chapter 2, Title 128, Revised Civil Statutes of Texas, by adding thereto, after Article 7700, Article 7700-a, authorizing the issuance of funding, refunding, and amortization bonds by water improvement districts which obtain their water supply under contract with the United States Government, prescribing the method thereof, the terms thereof, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 431 was then passed to engrossment.

HOUSE BILL NO. 431 ON THIRD READING

Mr. Clayton moved that the constitutional rule, requiring bills to be read

on three several days, be suspended, and that House Bill No. 431 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adamson.	Lemens.
Aikin.	Leonard.
Alexander.	Lindsey.
Alsup.	Lotief.
Anderson	Magee.
of Johnson.	Mackay.
Baker.	McDougald.
Barron.	McKee.
Bourne.	Merritt.
Burns.	Metcalf.
Canon.	Mitcham.
Chastain.	Moffett.
Clayton.	Moore.
Colson.	Morrison.
Coombes.	Munson.
Crossley.	Nicholson.
Daniel.	Parkhouse.
Davidson.	Patterson.
Dean.	Pope.
Devall.	Puryear.
Dunlap.	Ratliff.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Riddle.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	of Ochiltree.
Goodman.	Rollins.
Griffith.	Ross.
Haag.	Russell.
Hankamer.	Savage.
Harman.	Scarborough.
Harris.	Scott.
Harrison.	Shannon.
Hartzog.	Shults.
Head.	Stanfield.
Hicks.	Steward.
Hill of Brazoria.	Stinson.
Hodges.	Stovall.
Holekamp.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
Hyder.	Turlington.
James.	Vaughan.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Atascosa.	Weinert.
Jones of Runnels.	Wells.
Kayton.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.
Latham.	

Nays—2

Palmer. Ray.

Absent

Barrett.	Holloway.
Beck.	Jackson.
Bedford.	Jefferson.
Butler.	Jones of Shelby.
Calvert.	Laird.
Camp.	Long.
Cathey.	Mathis.
Caven.	McClain.
Cowley.	McCullough.
Dunagan.	McGregor.
Duvall.	Morse.
Dwyer.	Pavlica.
Good.	Ramsey.
Graves.	Reader.
Greathouse.	Smith.
Hester.	Sullivant.
Hill of Webb.	West.
Holland.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 431 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105

Adamson.	Harman.
Aikin.	Harris.
Alexander.	Hartzog.
Alsup.	Head.
Anderson	Hicks.
of Johnson.	Hill of Brazoria.
Baker.	Hodges.
Barron.	Hoskins.
Beck.	Huddleston.
Bourne.	Hughes.
Burns.	Hunt.
Canon.	Hyder.
Chastain.	James.
Clayton.	Jefferson.
Coombes.	Johnson
Daniel.	of Anderson.
Davidson.	Jones of Atascosa.
Devall.	Jones of Runnels.
Dunlap.	Kayton.
Engelhard.	Kyle of Hays.
Fain.	Kyle of Palo Pinto.
Fisher.	Laird.
Ford.	Latham.
Fuchs.	Lemens.
Glass.	Leonard.
Golson.	Lindsey.
Good.	Lotief.
Goodman.	Magee.
Greathouse.	Mackay.
Griffith.	McDougald.
Haag.	McGregor.
Hankamer.	McKee.

Merritt.	Savage.
Metcalfe.	Scarborough.
Mitcham.	Scott.
Moffett.	Shults.
Morrison.	Stanfield.
Munson.	Steward.
Palmer.	Stinson.
Parkhouse.	Stovall.
Patterson.	Sullivant.
Pope.	Tarwater.
Puryear.	Tennyson.
Ratliff.	Thomas.
Reed of Bowie.	Tillery.
Reed of Dallas.	Townsend.
Riddle.	Turlington.
Roberts.	Vaughan.
Rogers of Hunt.	Wagstaff.
Rogers	Walker.
of Ochiltree.	Weinert.
Rollins.	Winningham.
Ross.	Wood.
Russell.	Young.

Nays—2

Dean. Ray.

Absent

Barrett.	Holloway.
Bedford.	Jackson.
Butler.	Jones of Shelby.
Calvert.	Long.
Camp.	Mathis.
Cathey.	McClain.
Caven.	McCullough.
Colson.	Moore.
Cowley.	Morse.
Crossley.	Nicholson.
Dunagan.	Pavlica.
Duvall.	Ramsey.
Dwyer.	Reader.
Graves.	Renfro.
Harrison.	Shannon.
Hester.	Smith.
Hill of Webb.	Wells.
Holekamp.	West.
Holland.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

HOUSE BILL NO. 405 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 405, A bill to be entitled "An Act giving to Krisch, Lanham, and Walker, a partnership firm composed of Rudy Krisch, Jr., R. E. Lanham, and S. P. Walker, of San Antonio, Bexar County, Texas, consent

of the Legislature to sue the State of Texas and State Highway Commission for balance due under a contract dated February 2, 1931, for the improvement of Road No. 131, Job No. 136-B, in Kinney County, Texas, commencing at Station 0/00, Brackettville, and extending thence to Station 486/60.3, Spofford, and for damages in connection with, and growing out of, said contract, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 405 ON THIRD
READING

Mr. Kayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97

Adamson.	Hodges.
Aikin.	Holekamp.
Alsup.	Holland.
Anderson	Hoskins.
of Johnson.	Huddleston.
Baker.	Hughes.
Barron.	Hyder.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Johnson
Burns.	of Anderson.
Camp.	Jones of Atascosa.
Canon.	Jones of Runnels.
Clayton.	Kayton.
Colson.	Kyle of Hays.
Coombes.	Kyle of Palo Pinto.
Crossley.	Latham.
Daniel.	Lemens.
Devall.	Lindsey.
Dunlap.	Magee.
Fain.	Mackay.
Fisher.	Merritt.
Ford.	Metcalfe.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Moore.
Good.	Morrison.
Goodman.	Munson.
Greathouse.	Palmer.
Griffith.	Parkhouse.
Haag.	Patterson.
Hankamer.	Pope.
Harris.	Puryear.
Hartzog.	Ratliff.
Head.	Ray.
Hester.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.

Renfro.	Sullivant.
Roberts.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Wagstaff.
Scarborough.	Walker.
Stanfield.	Weinert.
Steward.	Winningham.
Stinson.	Wood.
Stovall.	Young.

Nays—3

Dean.	Vaughan.
Rogers of Hunt.	

Present—Not Voting

Calvert.

Absent

Alexander.	Leonard.
Barrett.	Long.
Butler.	Lotief.
Cathey.	Mathis.
Caven.	McClain.
Chastain.	McCullough.
Cowley.	McDougald.
Davidson.	McGregor.
Dunagan.	McKee.
Duvall.	Morse.
Dwyer.	Nicholson.
Engelhard.	Pavlica.
Graves.	Ramsey.
Harman.	Reader.
Harrison.	Riddle.
Hicks.	Scott.
Hill of Webb.	Shannon.
Holloway.	Shults.
Hunt.	Smith.
Jackson.	Wells.
Jones of Shelby.	West.
Laird.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	Van Zandt.
Few.	

The Speaker then laid House Bill No. 405 before the House on its third reading and final passage.

The bill was read third time, and was passed.

ADJOURNMENT

On motion of Mr. Russell, the House at 5:10 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Municipal and Private Corporations: House Bill No. 652.

School Districts: House Bill No. 822.

Appropriations: House Bill No. 324; Senate Bills Nos. 442, 248, 441, and 269.

Judiciary: House Bills Nos. 407, 408, 409, 518, and 672.

Privileges, Suffrage, and Elections: House Bills Nos. 765 and 807.

Banks and Banking: House Bills Nos. 802 and 803.

The Committee on Judiciary filed an adverse report on House Bill No. 675.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, March 14, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 2, Proposing an amendment to Section 26, of Article III, of the Constitution of Texas, by adding thereto Section 26-a, providing that under no apportionment shall any county be entitled to more than six Representatives unless the population of such county shall exceed six hundred thousand people; providing for the apportionment in counties of more than six hundred thousand people; providing for its submission to the voters as required by the Constitution, and making an appropriation therefor,

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, March 14, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 5, Proposing an amendment to Article XVI, of the Constitution of the State of Texas, by striking out Section 20-a to 20-e, both

inclusive; providing for local option on the question of the sale of intoxicating liquors for beverage purposes; defining and prohibiting saloons; vesting in the Legislature the power to regulate the manufacture, sale, barter, exchange, and traffic in intoxicating liquors, and to prohibit the transportation of intoxicating liquors for beverage purposes into or within any county, justice's precinct, town, or city, which has voted to prohibit the sale of intoxicating liquors; providing that intoxicating liquors shall not be manufactured, sold, or transported for beverage purposes in any county, justice's precinct, town, city, or political subdivision of a county where, under the local option provision of the State Constitution and Statutes, as such existed prior to the adoption of the State-wide prohibition amendment, such political subdivision had voted (at the last such election) to prohibit the sale of intoxicating liquors, unless and until the question shall be again submitted to the qualified voters of such county, justice's precinct, town, city, or political subdivision as may be hereafter provided by law, and a majority of the qualified voters, voting in such elections shall vote not to prohibit such sale; providing that nothing herein shall prevent through shipments of intoxicating liquors from political subdivisions, where the sale of intoxicating liquors is not prohibited, to other political subdivisions where such sale is not prohibited; providing for an election on the question of the adoption or rejection of such amendment and making an appropriation therefor; prescribing the form of ballot,

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, March 15, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 247, "An Act defining certain words, terms and phrases for the purposes of this Act, providing and imposing an occupation tax on the first sale, distribution or use of motor fuel in this State; providing certain

exceptions, exemptions and deductions from the tax hereby levied; providing for refunds of taxes paid in certain instances and under certain conditions, requiring distributors of motor fuel to obtain a permit and to file with the Comptroller of Public Accounts a surety bond or in lieu of bond to deposit in a suspense account in the State Treasury an amount of money equal to the amount of bonds required; providing that any manufacturer or refiner may transfer the tax imposed upon the sale of casinghead or natural gasoline to any distributor holding a permit as required by this Act upon certain conditions; regulating the issuance of such permits and providing for and regulating the suspension and revocation of permits issued; providing for and requiring distributors of motor fuel to file new or additional bonds in certain instances; providing that all taxes, fines, penalties and interest under this Act shall be a first lien on all property of the distributor, requiring and regulating the keeping of records by distributors of and dealers in motor fuel and providing for and authorizing the auditing and examination of records kept and authorizing officers to gauge, measure and take samples of the contents of containers of petroleum products or their substitutes for certain purposes; providing for the payment of the taxes hereby levied and providing penalties, interest and forfeitures for failure to pay the taxes levied hereunder; providing for the filing of suits by the Attorney General or his representatives for taxes due or past due, and providing for observance of certain procedure in such suits; providing and imposing certain penalties against and upon persons failing to comply with the terms of this Act; providing for recovery of the penalty or forfeitures imposed hereunder by suits in the proper court of Travis County, Texas; providing for examination of books or records of common carriers showing transportation of motor fuel; requiring common carriers to make sworn reports to the Comptroller of Public Accounts of all shipments of motor fuel; requiring certain carriers of motor fuel to keep and carry manifests issued by distributors or dealers, authorizing certain officers to stop carriers transporting motor fuel to determine whether the provisions of this Act

are being complied with, and prescribing the procedure to be followed in event the carrier is violating the requirements of this Act; providing that the taxes collected hereunder shall be paid into a special fund to be known as the Highway Motor Fuel Tax Fund; providing for the refunding of taxes paid on motor fuel in certain instances upon certain conditions where used for purposes other than propelling motor vehicles on the public highways, roads and streets of this State; providing for the distribution of the moneys held in the Highway Motor Fuel Tax Fund, providing that the Comptroller of Public Accounts may make rules and regulations for the purpose of carrying out the provisions of this Act; providing that any person who as distributor of motor fuel shall sell any motor fuel upon which a tax is levied without having a permit to do so or who as employee, agent or representative of any distributor of motor fuel shall, knowing said distributor has no valid permit, sell motor fuel, or whoever shall destroy, mutilate, or secrete any of the books, records, etc., required by this Act to be kept, or whoever shall refuse access to such records to the Attorney General, the Comptroller of Public Accounts or the representatives of either, or whoever shall knowingly make a false entry in, or fail to keep the records required to be kept by this Act, or shall make a false or incomplete return or report required by this Act, or whoever shall wilfully forge or falsify any invoice of exemption as herein provided for, or who shall transport any motor fuel, kerosene, naphtha, distillate, casing-head, or natural gasoline under false billing or shall refuse to stop a motor vehicle transporting motor fuel when called upon to do so by a person authorized to stop such vehicle hereunder, or whoever refuses to permit examination of his records or cargo by such person or whoever shall make any false statements for a refund filed under the provisions of this Act as to any material fact shall be guilty of a felony, punishable by confinement in the State Penitentiary, or the county jail, or by fine, or by both such fine and imprisonment, and upon conviction, shall automatically forfeit the right to obtain a permit for a period of two (2) years; providing that two-thirds (⅔) of one per cent (1%) of the taxes collected under this Act

shall be set aside for the enforcement of the provisions hereof, creating a Motor Fuel Tax Division, providing for employes therein, prescribing maximum salaries, providing for the equipment and supplies, and other expenses, necessary to enforce this Act; repealing Chapter 93, Acts of the Regular Session of the Fortieth Legislature, Sections 17, 18 and 19 of Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, and Chapter 98, Acts of the Regular Session of the Forty-second Legislature; providing that obligations existing and all taxes accruing hereafter or now due and/or delinquent under prior or existing gasoline tax laws are expressly preserved and declared to be legal and valid obligations due to the State and the liens created and the obligations of bonds executed to secure their payment are hereby declared to be in full force and effect; providing further that no offense committed and no fine, forfeiture or penalty incurred under such prior or existing laws prior to the time this Act shall become effective, shall be affected by the repeal of any such laws, but the punishment of such offense and the recovery of such fines and forfeitures shall take place as if the law repealed had remained in force; providing that if any section, subsection, sentence, clause or phrase in this Act shall be held or declared to be unconstitutional or invalid for any reason, such holding shall not impair or affect the remaining portions of this Act, and the same shall be and remain in full force and effect, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Cairman.

THIRTY-EIGHTH DAY

(Thursday, March 16, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Baker.
Adamson.	Barrett.
Aikin.	Barron.
Alexander.	Beck.
Alsup.	Bedford.
Anderson	Bourne.
of Johnson.	Burns.